

EXHIBIT A

BOB GASOFF

9/21/2012

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IN THE UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

GOV JESSE VENTURA,

Plaintiff,

vs No 12-472 RHK/AJB

CHRIS KYLE,

Defendant

VIDEOTAPED Deposition of BOB GASOFF
Taken on September 21st, 2012

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1 IN THE UNITED STATES DISTRICT COURT
2 DISTRICT OF MINNESOTA

3

4 GOV JESSE VENTURA,

5

6 Plaintiff,

7

8 vs No 12-472 RHK/AJB

9

10 CHRIS KYLE,

11

12 Defendant

13

14 VIDEOTAPED DEPOSITION OF BOB

15 GASOFF, taken on behalf of the Defendant, at the

16 offices of [REDACTED]

17 St Louis, Missouri, on the 21st day of September,

18 2012, before Gretta G Cairatti, RPR, CRR, MO-CCR

19 #790, IL-CSR #084-003418, and Notary Public

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1 APPEARANCE OF COUNSEL (CONTINUED):

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Page 5			Page 7		
1	INDEX		1	BOB GASOFF,	
2			2		
3	PAGE		3	of lawful age, having been first duly sworn to	
4	Examination By Ms. Walker	7	4	testify the truth, the whole truth, and nothing but	
5	Examination By Mr. Olsen	68	5	the truth in the case aforesaid, deposes and says in	
6	Further Examination By Ms. Walker	136	6	reply to oral interrogatories propounded as follows,	
7			7	to-wit:	
8			09:14:16	8	EXAMINATION
9	EXHIBITS		09:14:16	9	QUESTIONS BY MS. WALKER:
10			09:14:16	10	Q Mr. Gassoff, my name is Leita Walker. Is it
11	PAGE		09:14:19	11	okay if I call you Bob or Bobby?
12	Exhibit 1	9	09:14:20	12	A Yes.
13	Exhibit 2	25	09:14:21	13	Q Which do you prefer?
14	Exhibit 3	29	09:14:22	14	A Either --
15	Exhibit 4	81	09:14:22	15	Q Okay.
16	Exhibit 5	87	09:14:23	16	A -- is fine.
17	Exhibit 6	102	09:14:23	17	Q Bobby --
18	Exhibit 7	102	09:14:23	18	A Bob's fine.
19	Exhibit 8	102	09:14:23	19	Q -- it is, or Bob.
20	Exhibit 9	102	09:14:24	20	A Bobby -- Bobby's fine.
21	Exhibit 10	102	09:14:25	21	Q You and I just met this morning; correct?
22	Exhibit 11	102	09:14:28	22	A Yes.
23	Exhibit 12	102	09:14:28	23	Q And we've talked before?
24			09:14:30	24	A Yes.
25			09:14:31	25	Q Can you say for the record the occasions on
Page 6			Page 8		
09:12:51	1	THE VIDEOGRAPHER: We're on the record at	09:14:35	1	which we've spoken?
09:13:11	2	9:12 Here begins videotape number one in the	09:14:36	2	A I guess it was sometime last year when you
09:13:14	3	deposition of Bob Gassoff in the matter of Governor	09:14:41	3	had called to see if I would be willing to make a
09:13:17	4	Jesse Ventura versus Chris Kyle in the United States	09:14:44	4	statement on behalf of Chris for the lawsuit that he
09:13:20	5	District Court, District of Minnesota, Civil	09:14:48	5	was involved in.
09:13:23	6	Case No 12-427	09:14:49	6	Q Okay. And just so you know, the lawsuit was
09:13:26	7	Today's date is September 21, 2012 The	09:14:53	7	filed near the start of this year. So it's been --
09:13:28	8	video operator today is Tom Nickeson This video	09:14:56	8	A This --
09:13:31	9	deposition is taking place at [REDACTED]	09:14:56	9	Q -- within --
09:13:35	10	[REDACTED]	09:14:56	10	A This past --
09:13:38	11	St Louis, Missouri	09:14:56	11	Q -- the last few months.
09:13:39	12	Would counsel please identify themselves for	09:14:57	12	A Yes, this past -- yeah.
09:13:41	13	the record?	09:14:58	13	Q And then we also spoke to set up this
09:13:43	14	MS WALKER: Leita Walker of Faegre Baker	09:15:01	14	deposition; correct?
09:13:44	15	Daniels I represent the Defendant Chris Kyle	09:15:02	15	A Correct.
09:13:51	16	MR DOWD: William Dowd of Dowd & Dowd here	09:15:02	16	Q Have you ever been deposed before?
09:13:52	17	for the witness Robert Gassoff	09:15:04	17	A I have not.
09:13:56	18	MR OLSEN: David Bradley Olsen, Henson &	09:15:05	18	Q Okay. I'll go over just a few ground rules.
09:13:58	19	Efron in Minneapolis on behalf of Governor Jesse	09:15:07	19	One, you understand that you're under oath and that
09:14:00	20	Ventura	09:15:10	20	what you say here is just like you're saying it in a
09:14:01	21	THE VIDEOGRAPHER: Thank you The court	09:15:12	21	courtroom in front of a judge and jury. Do you
09:14:03	22	reporter today is Gretta Cairatti Would the	09:15:15	22	understand that?
09:14:06	23	reporter please swear in the witness?	09:15:15	23	A Yes.
09:14:06	24		09:15:16	24	Q If I don't -- if I ask a question that you
09:14:07	25		09:15:19	25	don't understand, just say so and I'll try to

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09:15:21	1	rephrase it. Don't try to guess at what I'm asking,	09:17:12	1	Q And what are your responsibilities in that
09:15:23	2	or -- or speculate.	09:17:13	2	job?
09:15:25	3	If there's a question you don't know the	09:17:14	3	A [REDACTED]
09:15:27	4	answer to, it's okay to say, I don't know. Do you	09:17:19	4	[REDACTED]
09:15:30	5	understand that?	09:17:22	5	[REDACTED]
09:15:31	6	A Yes.	09:17:24	6	Q And how long have you worked here?
09:15:32	7	Q Try to answer verbally like you're doing	09:17:26	7	A [REDACTED]
09:15:34	8	with a yes or a no. Try not to shake your head, or	09:17:31	8	[REDACTED]
09:15:37	9	nod, or say uh-huh, or huh-uh, because it's hard for	09:17:36	9	Q So in 2008 you ended active duty?
09:15:41	10	the court reporter to pick that up.	09:17:40	10	A Correct
09:15:43	11	And then if at any time you want to take a	09:17:41	11	Q When did you first enlist in the military?
09:15:44	12	break, we can say so. I don't think this'll take	09:17:46	12	A It was Fall of 2003
09:15:46	13	long this morning, but we can stop at any time	09:17:55	13	Q And how old were you at the time?
09:15:49	14	and --	09:17:58	14	A [REDACTED]
09:15:49	15	A Okay.	09:18:02	15	Q What had you done before that --
09:15:49	16	Q -- take a break.	09:18:02	16	A I played --
09:15:52	17	MS. WALKER: Mark this as Exhibit 1.	09:18:05	17	Q -- from high school through age [REDACTED]
09:16:06	18	(Exhibit 1 marked for identification.)	09:18:08	18	A I played college hockey at University of
09:16:06	19	QUESTIONS BY MS. WALKER:	09:18:11	19	Michigan, and went on to play a couple years of pro
09:16:06	20	Q Do you recognize this document?	09:18:14	20	hockey And left my hockey career to pursue my
09:16:07	21	A Yes, I do.	09:18:18	21	military career
09:16:08	22	Q And what is it?	09:18:20	22	Q And did you immediately join the SEALs back
09:16:09	23	A This was a declaration that I had made to	09:18:24	23	in 2003 or did you go through some other branch
09:16:14	24	you earlier this year.	09:18:27	24	first?
09:16:15	25	Q And if you flip to the back page, is that	09:18:27	25	A I went through what's called Officer
Page 10			Page 12		
09:16:17	1	your signature?	09:18:30	1	Candidate School, which was basically a boot camp
09:16:19	2	A Yes, it is.	09:18:35	2	for officers And so I went to Pensacola, and upon
09:16:22	3	Q I'll give you a minute to read through this	09:18:39	3	graduation from OCS I went to Cornell for my SEAL
09:16:24	4	if you want, but does this appear to be a true and	09:18:43	4	training, BUD/S -- BUD/S training
09:16:28	5	accurate copy of the dec -- declaration you signed	09:18:44	5	Q What made you want to become a SEAL?
09:16:30	6	in April of 2012?	09:18:47	6	A You know, on my -- my mother's side, I had
09:16:31	7	A Yes, it does.	09:18:51	7	an uncle who flew around the Vietnam era, a
09:16:32	8	Q Are the statements within this declaration	09:18:56	8	grandfather who was in World War II, and great
09:16:40	9	true and correct?	09:18:58	9	grandfather who was World War I, and had always
09:16:41	10	A Yes.	09:19:01	10	felt, you know, compelled to do my part and -- and
09:16:43	11	MR. OLSEN: Objection, leading. Did you get	09:19:02	11	serve and give back
09:16:48	12	the objection on the record?	09:19:03	12	Q Why a SEAL instead of a Marine or a soldier
09:16:49	13	THE COURT REPORTER: I did.	09:19:08	13	of some other branch?
09:16:53	14	QUESTIONS BY MS. WALKER:	09:19:09	14	A My -- my aunt's husband, uncle at the time,
09:16:54	15	Q Where do you live, Mr. Gasoff?	09:19:15	15	was -- was flying He was a reserve SEAL -- or
09:16:55	16	A Here in St. Louis, Missouri.	09:19:19	16	not -- he was a reserve pilot and knew some SEALs
09:16:56	17	Q What's your address?	09:19:22	17	and would tell me stories about some of the SEAL
09:16:57	18	A [REDACTED]	09:19:25	18	experiences with his friends, and got my interested
09:17:00	19	Q And how old are you?	09:19:28	19	And being a hockey player my whole life, always
09:17:01	20	A [REDACTED]	09:19:31	20	being a part of that team element, aspect, that
09:17:02	21	Q What's your current occupation?	09:19:34	21	sounded like that's what I wanted to -- to do if I
09:17:05	22	A [REDACTED]	09:19:37	22	wasn't playing hockey
09:17:09	23	[REDACTED]	09:19:40	23	Q So you served from 2003 to 2008, so about
09:17:10	24	Q Here in St. Louis?	09:19:45	24	five years?
09:17:11	25	A Yes.	09:19:45	25	A Correct

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09:19:46 1 Q And are you now in the reserves or
09:19:48 2 anything like that?
09:19:49 3 A I'm in active reserve, yes
09:19:51 4 Q Active reserve?
09:19:52 5 A Correct
09:19:53 6 Q As a SEAL, did you have to take an oath of
09:19:59 7 honesty?
09:20:00 8 A Yes
09:20:01 9 Q And as an active reserve SEAL, do you
09:20:04 10 have -- are you obligated to -- are you -- are you
09:20:07 11 under an oath of honesty?
09:20:10 12 A As -- as far as I know, yes
09:20:11 13 Q What SEAL team were you on initially?
09:20:18 14 A SEAL Team 7
09:20:20 15 Q And did you stay on SEAL Team 7 through your
09:20:23 16 five years of active duty?
09:20:24 17 A Yes The -- the SEAL Team 7 was the only --
09:20:27 18 I wasn't there all five years because I had to go
09:20:29 19 through training But once I was on the team, that
09:20:32 20 was the only team I was on
09:20:33 21 Q Okay And are you assigned to a team now
09:20:35 22 that you're an active reserve?
09:20:37 23 A I am assigned to a geographical combatant
09:20:42 24 command, Special Operations Command Africa
09:20:47 25 Q But not a particular number team?

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09:20:49 1 A Not a numbered team, no
09:20:51 2 Q While you were on SEAL Team 7, were you
09:20:56 3 deployed?
09:20:56 4 A Yes
09:20:56 5 Q And how many times?
09:20:57 6 A Three, four
09:21:04 7 Q Where were you deployed to?
09:21:06 8 A There's -- there's -- there's some -- you
09:21:08 9 know, full deployment to Iraq, and then there were
09:21:11 10 some -- some shorter trips
09:21:12 11 Q And can you disclose the locations of the
09:21:14 12 shorter trips?
09:21:14 13 A I don't believe I can
09:21:15 14 Q Okay So the longer deployment was to Iraq
09:21:18 15 A Yes
09:21:19 16 Q And when was that?
09:21:20 17 A It was Summer 2007
09:21:28 18 Q Were you awarded any medals as a SEAL?
09:21:31 19 A Yes
09:21:31 20 Q What medals were you awarded, or other
09:21:35 21 honors?
09:21:36 22 A Naval Achievement Medal, Naval Commendation
09:21:39 23 Medal with Combat V, Combat Action Ribbon
09:21:46 24 Q Is that three different ones, or --
09:21:48 25 A Well, there's -- there's a bunch Global

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09:21:50 1 War on Terror Expedition, Global War on Terror
09:21:53 2 Service, Sea Service Deployment Ribbon, Marksman,
09:22:02 3 rifle, pistol
09:22:03 4 Q Is there one you're particularly proud of
09:22:06 5 above the rest?
09:22:07 6 A Probably the Naval Commendation Medal with
09:22:11 7 Combat V
09:22:12 8 Q And who is that medal awarded to?
09:22:15 9 A To -- to me
09:22:16 10 Q What -- what I meant to ask is what is the
09:22:19 11 criteria for receiving that?
09:22:21 12 A I -- I don't know what the official
09:22:25 13 definition of -- of the criteria, but basically it's
09:22:32 14 a -- it's a high level achievement award, and the
09:22:37 15 Combat V signifies an even greater level of an award
09:22:42 16 under combat situations It's one level below
09:22:48 17 Bronze Star
09:22:49 18 Q So you're calm under pressure; is --
09:22:49 19 A Yes
09:22:52 20 Q -- that fair to say? When you moved from
09:22:56 21 active duty to active reserve, did that involve a
09:22:59 22 discharge, or how does that work?
09:23:02 23 A Technically, it is -- it's a discharge from
09:23:05 24 active duty service and a re-ascension into Naval
09:23:11 25 reserve service They're actually two different

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09:23:14 1 systems.
09:23:14 2 Q Was the discharge from active duty
09:23:16 3 honorable?
09:23:17 4 A Yes.
09:23:18 5 Q And have you gone overseas as part of your
09:23:22 6 active reserve commitment?
09:23:24 7 A Yes.
09:23:25 8 Q And can you say where you've been?
09:23:27 9 A Germany.
09:23:31 10 Q When was that?
09:23:33 11 A 2000 -- this year, 2012 January.
09:23:38 12 Q And was that in a combat role or --
09:23:41 13 A No.
09:23:41 14 Q -- what was the -- what was the assignment?
09:23:43 15 A Administrative.
09:23:44 16 Q Okay. Do you know Chris Kyle?
09:23:48 17 A Yes, I do.
09:23:49 18 Q And do you re -- recall when you met Chris
09:23:51 19 Kyle?
09:23:51 20 A I don't recall the -- the actual first time
09:23:56 21 we met. It would have been sometime in the year
09:24:03 22 2006 before -- before his -- his unit deployed.
09:24:09 23 Q Okay. So while you were still on active
09:24:11 24 duty?
09:24:11 25 A Correct.

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09:24:11 1 Q And do -- was it before or after you had
 09:24:14 2 been to Iraq, do you recall?
 09:24:15 3 A It was before I had been to Iraq
 09:24:22 4 Q What was the occasion for the meeting with
 09:24:24 5 Chris?
 09:24:25 6 A I don't recall It would have just been in
 09:24:28 7 passing One of my best friends and -- and a couple
 09:24:31 8 of my -- my close friends were mem -- same members
 09:24:34 9 of the platoon, so it would have been kind of in
 09:24:37 10 passing, interactions with my friends
 09:24:39 11 Q What was the platoon you were in?
 09:24:42 12 A SEAL Team 7 Charlie Platoon
 09:24:45 13 Q And was Chris in Charlie Platoon?
 09:24:51 14 A No, he was on a different team He was
 09:24:53 15 Team 3
 09:24:54 16 Q Within the same platoon, or a different
 09:24:57 17 platoon?
 09:24:57 18 A He was a Charlie -- I believe he was Charlie
 09:25:00 19 Platoon for SEAL Team 3, but not SEAL Team 7
 09:25:04 20 Q And so as members of the same platoon, you
 09:25:08 21 had mutual friends, is that -- or put it in your own
 09:25:13 22 words
 09:25:13 23 A Our -- our platoon --
 09:25:14 24 Q I don't want --
 09:25:14 25 A Our platoons were really -- as I said, we

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09:25:16 1 were on different teams Our platoons, even though
 09:25:19 2 we were both Charlie Platoon, there's really not a
 09:25:21 3 direct correlation It's -- we're all segmented by
 09:25:25 4 teams and then subdivided within those teams into,
 09:25:25 5 you know, platoons, Alpha, Bravo, Charlie, Delta,
 09:25:31 6 Echo, Foxtrot
 09:25:31 7 Q Okay But you met -- if I understand what
 09:25:35 8 you said before, you met because you had some mutual
 09:25:37 9 friends in a social setting?
 09:25:39 10 A Correct I mean, I don't recall
 09:25:42 11 specifically when I would have met Chris I didn't
 09:25:44 12 really know Chris well before my -- my friend Marc
 09:25:48 13 Lee was killed That's -- when Marc was killed, and
 09:25:51 14 then Mikey was killed, that's when I got to know
 09:25:54 15 Chris better I knew a couple of the other guys in
 09:25:57 16 the platoon certainly better
 09:25:59 17 Q Okay And how did you know Marc Lee?
 09:26:02 18 A Marc Lee was my swim buddy all through
 09:26:06 19 BUD/S, which is our basic SEAL training So for
 09:26:09 20 about seven months we were adjoined at the hip
 09:26:12 21 Q Yeah I'm very sorry he died When were
 09:26:15 22 you in BUD/S?
 09:26:16 23 A It was 2004 We started in April I
 09:26:24 24 believe we classed up in April and we graduated
 09:26:27 25 November -- November 5th, around there, 2004

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09:26:34 1 Q November '04?
 09:26:36 2 A Yes
 09:26:37 3 Q Now, is BUD/S different than SQT?
 09:26:42 4 A It is
 09:26:43 5 Q BUD/S comes first?
 09:26:44 6 A BUD/S is the basic training, SQT is advanced
 09:26:48 7 SEAL training
 09:26:49 8 Q When did you graduate from SQT?
 09:26:52 9 A So that was Summer of '05
 09:26:58 10 Q And then would you have deployed immediately
 09:27:02 11 after that? You said you were in Iraq in '07, and
 09:27:08 12 there were some other deployments
 09:27:09 13 A I did have to go on deployment shortly after
 09:27:12 14 I graduated and went to Team 7 My team was already
 09:27:16 15 deployed and I went forward to meet them
 09:27:17 16 Q And when you went to Iraq in the Summer of
 09:27:23 17 '07, how long were you there?
 09:27:24 18 A It was about six months
 09:27:29 19 Q Were you ever deployed with Chris?
 09:27:31 20 A I was not
 09:27:34 21 Q Are you aware that Chris was a sniper?
 09:27:37 22 A Yes
 09:27:38 23 Q Was that your role as well?
 09:27:39 24 A It was not
 09:27:40 25 Q What was your role?

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09:27:41 1 A I was an officer, lieutenant junior grade,
 09:27:45 2 and was a SEAL squad commander
 09:27:49 3 Q And what does that mean?
 09:27:50 4 A I had the direct responsibility for about
 09:27:55 5 ten guys, my assault squad, and second command of
 09:28:01 6 our platoon, which was about 20 people
 09:28:06 7 Q Were you in command of Marc Lee?
 09:28:13 8 A Not at SEAL Team 7
 09:28:15 9 Q Okay Was he on a different team?
 09:28:17 10 A He was a Team 3
 09:28:17 11 Q And you mentioned Mikey Monsoor before How
 09:28:21 12 do you know Mikey Monsoor?
 09:28:22 13 A I knew Mikey because he was in the class --
 09:28:25 14 the BUD/S class ahead of my class, Marc and I's
 09:28:27 15 class
 09:28:27 16 Q Were you ever deployed with either of them?
 09:28:30 17 A No
 09:28:31 18 Q What team was Mikey on?
 09:28:35 19 A Three
 09:28:35 20 Q So Mikey and Marc were on the same team
 09:28:40 21 A Correct
 09:28:41 22 Q Would they have deployed together?
 09:28:43 23 A Yes
 09:28:54 24 Q How did Mikey die?
 09:29:06 25 A Sorry

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Page 21		Page 23	
09:29:06	1 Q I'm sorry Take your time	09:32:07	1 and retraining in all of our different skill sets
09:29:17	2 A So Mike was -- from what I understand, Mike	09:32:11	2 before we went out the door
09:29:24	3 was on the rooftop in Ramadi when his platoon was	09:32:13	3 Q So if you were deployed in Summer of '07,
09:29:27	4 doing what they were -- called clearance and hold	09:32:17	4 they would have been deployed in Summer of '06?
09:29:30	5 operations in Ramadi, which is a very bad place at	09:32:19	5 A Correct It was generally the -- our -- our
09:29:34	6 the time they were there in '06 It was a very,	09:32:22	6 two teams mirrored each other's deployment cycles a
09:29:37	7 what we call a non-permissive environment It was	09:32:26	7 year behind So start in April, and redeploy
09:29:40	8 pretty much 100 percent insurgently held	09:32:30	8 stateside in October/November
09:29:45	9 And they were on top of a rooftop Mike,	09:32:34	9 Q Did you go to Marc Lee's funeral?
09:29:50	10 three other SEALs, a couple of Iraqi Army people,	09:32:36	10 A Yes
09:30:00	11 and they were in a sniper -- what we call a sniper	09:32:36	11 Q Do you recall -- if he died at the beginning
09:30:03	12 over-watch position And it was an urban setting	09:32:38	12 of August, do you recall about when that would have
09:30:08	13 It's very difficult to defend your flanks in an	09:32:41	13 been?
09:30:12	14 urban setting and some insurgents got inside their	09:32:42	14 A Marc was -- was killed in -- on August 2nd
09:30:16	15 safety perimeter and someone lobbed a grenade up on	09:32:49	15 Q That was the date of the funeral or the date
09:30:20	16 the rooftop	09:32:51	16 of his death?
09:30:22	17 From what I was told, it actually hit Mike	09:32:51	17 A That was the day he was killed
09:30:24	18 in -- in the chest and dropped to his feet Again,	09:32:53	18 Q Okay And was his funeral within a week
09:30:30	19 from what I know, Mike was actually the only one who	09:32:56	19 after that, or does it take longer?
09:30:33	20 was in a position to get out of the danger zone	09:32:59	20 A It -- it really varies It -- I can't
09:30:36	21 because he was at the top of a stairwell, and rather	09:33:04	21 recall exactly how long it was after I was -- I
09:30:41	22 than -- than vacating the scene, he yelled, Grenade,	09:33:08	22 would assume it was within a week A week to two
09:30:44	23 to his teammates, and fell on the grenade and	09:33:13	23 weeks
09:30:52	24 Q Again, I'm very sorry	09:33:15	24 Q And had you -- do you know Marc's mother?
09:30:55	25 Were you in Iraq -- if you -- if you know,	09:33:18	25 A Yes, I do
Page 22		Page 24	
09:30:59	1 what was the time frame between when Marc was killed	09:33:18	1 Q And what's her name?
09:31:02	2 and when Mikey was killed?	09:33:19	2 A Debbie Lee
09:31:04	3 A Mikey was killed at the -- the end of	09:33:21	3 Q When did you first meet her?
09:31:08	4 September and Marc was killed at the beginning of	09:33:23	4 A I had met her briefly at -- at BUD/S
09:31:11	5 August	09:33:28	5 graduation but I really didn't get to know her until
09:31:17	6 Q And my understanding, correct me if you know	09:33:33	6 after Marc's death
09:31:22	7 one way or another, is that Marc was the first SEAL	09:33:36	7 Q And did you have any official role at his
09:31:24	8 killed in Iraq?	09:33:38	8 funeral?
09:31:25	9 A He was	09:33:39	9 A I did I was the -- what we call the CACO
09:31:26	10 Q And was Mikey the second?	09:33:42	10 officer, the NSW CACO, which is the Casualty
09:31:27	11 A Yes	09:33:45	11 Assistance Care Officer, which is an official
09:31:28	12 Q And were there others you knew who were	09:33:48	12 position that -- someone from the Navy is the
09:31:33	13 killed in Iraq?	09:33:51	13 official Navy CACO, but we usually have, in our
09:31:34	14 A Yes	09:33:54	14 community, an NSW, Naval Special Warfare, CACO
09:31:34	15 Q How many?	09:33:58	15 representative, which is a personal friend and face
09:31:36	16 A Between Iraq and Afghanistan, a lot	09:34:01	16 of our community in addition to supporting the
09:31:43	17 Q Were you in Iraq at the time Mikey and Marc	09:34:05	17 Navy -- official Navy CACO
09:31:46	18 were killed?	09:34:08	18 And there's a lot of responsibilities from
09:31:47	19 A No	09:34:11	19 just making sure that the family is -- is generally
09:31:47	20 Q Where were you?	09:34:15	20 okay and getting everything that they need, as well
09:31:49	21 A I was stateside We were in the middle of	09:34:18	21 as helping to make sure that all the -- the
09:31:53	22 what we call our work-up to deploy Our deployment	09:34:20	22 financial obligations of the Government, and the
09:31:57	23 would take place approximately a year after Marc and	09:34:25	23 wills are executed, and the family gets personal
09:32:00	24 Mike's team was deployed So we were, you know,	09:34:27	24 effects and belongings Make sure there's an open
09:32:05	25 going through all of our, you know, equals and --	09:34:32	25 communication and network to our community

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09:34:35	1 Q And is there someone like that assigned to	09:37:09	1 Q At the graveside?
09:34:38	2 each member of the family, or to the family as a	09:37:10	2 A Yes.
09:34:40	3 whole?	09:37:12	3 Q Do you have any sense for how long the
09:34:40	4 A Generally it's -- it's one person It	09:37:14	4 church and graveside service would have lasted?
09:34:44	5 depends on the situation, though It can vary So	09:37:17	5 A Hour to an hour and a half, maybe. I -- I
09:34:48	6 Marc was actually married, and his wife was in New	09:37:24	6 really don't know.
09:34:51	7 York, and she had a NSW CACO, and I was the one that	09:37:25	7 Q Okay.
09:34:55	8 was assigned to Marc's mom in Arizona	09:37:26	8 A For each.
09:34:59	9 Q And did you accompany her to the funeral?	09:37:28	9 Q Were you living in San Diego at the time?
09:35:01	10 A I did	09:37:31	10 A I was.
09:35:02	11 Q Did you go to Mikey Monsoor's funeral?	09:37:32	11 Q Okay. And the date -- or the location on
09:35:07	12 A I did	09:37:36	12 the front of the funeral program says San Diego,
09:35:07	13 Q And do you recall when that was?	09:37:38	13 California. Is that where Mikey's funeral was?
09:35:09	14 A I don't remember the exact day Again, it	09:37:42	14 A Yes.
09:35:15	15 would have been probably a week or two after --	09:37:43	15 Q Were you living on the base at the time?
09:35:19	16 after he was killed	09:37:46	16 A I did not live on base. I lived out in town
09:35:19	17 Q Which was at the end of September	09:37:49	17 in a -- in my own apartment in Coronado.
09:35:21	18 A Correct	09:37:54	18 Q Do you want to take a break?
09:35:43	19 MS WALKER: Mark this as Exhibit 2	09:37:55	19 A I'm okay.
09:35:46	20 (Exhibit 2 marked for identification)	09:37:56	20 Q Okay. If we can estimate, which I think you
09:35:46	21 QUESTIONS BY MS WALKER:	09:38:03	21 did, that the funeral and graveside service lasted
09:35:47	22 Q Have you ever seen this document before?	09:38:06	22 about an hour and a half, would you say that puts us
09:35:48	23 A Yes	09:38:10	23 at about early afternoon on October 12th?
09:35:48	24 Q And can you tell me what it is?	09:38:15	24 A Yes, around there.
09:35:51	25 A This is the memorial program for Mike's	09:38:17	25 Q As best you recall?
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09:35:55	1 funeral.	09:38:18	1 A As best I recall, yes
09:35:56	2 Q Does it appear to be a true and accurate	09:38:20	2 Q And after the graveside service, did you go
09:35:59	3 copy?	09:38:24	3 have lunch, or go back to your apartment, or where
09:35:59	4 A Yes, it does.	09:38:28	4 did you go?
09:36:00	5 Q If you look at the bottom of the right-hand	09:38:28	5 A I -- it's hard to recall the events six
09:36:06	6 side of the first page, there's a date that says	09:38:30	6 years ago but generally we would have all been in
09:36:09	7 October 12, 2006.	09:38:35	7 uniform and -- and guys would have gone home to
09:36:12	8 A Yes.	09:38:38	8 dress down and change out before they met up later
09:36:13	9 Q Was that the date of his funeral?	09:38:43	9 that afternoon, evening
09:36:15	10 A Yes.	09:38:44	10 Q Do you recall specifically what you did or
09:36:15	11 Q Do you remember what time of day his funeral	09:38:47	11 is that just typically what would have happened?
09:36:24	12 started?	09:38:49	12 A Unfortunately, I've been to so many
09:36:25	13 A No, I -- I don't remember the exact time. I	09:38:51	13 funerals, it's hard to place the exact events of
09:36:32	14 would say it's probably around noon.	09:38:54	14 what I did on that one six years ago, but I would
09:36:39	15 Q And --	09:38:58	15 have probably have gone home and changed and had
09:36:40	16 A Ten, 11, noon, around -- around there. Late	09:39:00	16 lunch and met everybody at -- since it was in
09:36:42	17 morning, afternoon.	09:39:04	17 San Diego, everybody generally meets at McP's
09:36:43	18 Q Okay. Civilian funerals generally last an	09:39:07	18 afterwards for a wake
09:36:47	19 hour. Is -- Is that typical of a SEAL funeral as	09:39:09	19 Q And what is McP's?
09:36:50	20 well?	09:39:11	20 A McP's is an Irish bar on Coronado It's --
09:36:50	21 A No.	09:39:17	21 it's kind of one of two spots where, you know, SEALs
09:36:52	22 Q Okay. Was there a service at a church?	09:39:20	22 get together It's kind of dubbed as a SEAL bar,
09:36:54	23 A If -- if I recall correctly, we had a	09:39:24	23 but generally after graduations and/or funerals,
09:36:59	24 service at a church, yes. And then -- then a	09:39:33	24 that's kind of the spot where everybody will gather
09:37:08	25 service afterwards.	09:39:35	25 after everything's done

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09:39:37	1	Q What's the other SEAL bar at Coronado?	09:42:17	1	A I did.
09:39:40	2	A Danny's	09:42:18	2	Q Do you recall what time you got there?
09:39:41	3	Q Okay And how far apart are they?	09:42:19	3	A I do not.
09:39:44	4	A Probably a 30 second walk	09:42:20	4	Q And do you recall if it was daylight?
09:39:46	5	Q Just down the block?	09:42:23	5	A It was daylight when I got there.
09:39:47	6	A Yeah	09:42:26	6	Q Did you arrive with anyone? Did you share a
09:40:06	7	(Exhibit 3 marked for identification)	09:42:33	7	car or a cab?
09:40:08	8	QUESTIONS BY MS WALKER:	09:42:35	8	A I don't remember.
09:40:08	9	Q The court reporter has handed you what's	09:42:38	9	Q Do you recall how many people were there
09:40:10	10	been marked as Exhibit 3, and I'll represent to you	09:42:40	10	when you arrived, ballpark?
09:40:13	11	that these are Google Map photos of what I believe	09:42:42	11	A I mean, it was pretty crowded. I have no
09:40:18	12	are McP's Bar and Grill in Coronado And looking at	09:42:46	12	idea. A couple hundred.
09:40:23	13	these photos, can you confirm that that's what they	09:42:48	13	Q Shoulder to shoulder?
09:40:25	14	are?	09:42:49	14	A Yes.
09:40:25	15	A Yes, it is	09:42:50	15	Q Line at the bar?
09:40:29	16	Q And if you look at the sixth page, and	09:42:50	16	A Yes.
09:40:38	17	they're front and back, this one that has -- it	09:42:51	17	Q Was it -- what was the volume level? Was it
09:40:42	18	appears to be -- there's a trolley on the left-hand	09:43:00	18	loud?
09:40:45	19	side --	09:43:00	19	A Loud, yeah. Loud because of there was so
09:40:45	20	A Okay	09:43:04	20	many people there, sure.
09:40:46	21	Q -- and an American flag sort of in the	09:43:07	21	Q Were individual people being loud or it was
09:40:49	22	center of the picture Is that the front of McP's?	09:43:09	22	just the --
09:40:52	23	A Yes	09:43:10	23	A It was just a general loud.
09:40:54	24	MR OLSEN: For the record, can you state	09:43:13	24	Q In aggregate.
09:40:56	25	which page of this exhibit you're looking at?	09:43:16	25	A Yeah.
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09:40:59	1	MS. WALKER: It's the back of the third	09:43:16	1	Q Do you remember who else was there from the
09:41:01	2	sheet of paper. The sixth page.	09:43:25	2	SEAL community?
09:41:10	3	QUESTIONS BY MS. WALKER:	09:43:27	3	A Specifically, no I mean, it would have
09:41:10	4	Q And do you know, this street that's in the	09:43:30	4	been anybody who was a SEAL who was around at that
09:41:13	5	foreground of the photograph, what street is that?	09:43:34	5	time Anybody from students, to guys in my platoon,
09:41:15	6	A That would be Orange Avenue.	09:43:40	6	guys in Marc and Mike's platoon, family, lots of
09:41:20	7	Q Does that street run east and west or north	09:43:44	7	people
09:41:24	8	and south, do you know?	09:43:45	8	Q And so the tradition is, the entire
09:41:25	9	A So it -- it kind of turns. That actually	09:43:48	9	community attends even if they didn't personally
09:41:29	10	runs southwest and northeast. It runs east/west and	09:43:50	10	know Mikey?
09:41:37	11	then it turns to go southwest and northeast.	09:43:51	11	A Correct
09:41:41	12	Q If you're looking at this picture, would	09:43:52	12	Q As a show of support
09:41:44	13	Danny's be to the left or to the right?	09:43:53	13	A Correct
09:41:46	14	A Left.	09:43:54	14	Q Do you remember if Andrew Paul was there?
09:41:47	15	Q So to go back to where we were at a minute	09:43:56	15	A I don't remember
09:41:59	16	ago, you -- you said you went to Mikey's funeral.	09:44:01	16	Q Do you remember if Debbie Lee was there?
09:42:01	17	It lasted about an hour and a half. Middle of the	09:44:04	17	A Debbie Lee was there
09:42:03	18	day. Typically everyone would have gone home and	09:44:06	18	Q Do you remember if Debbie Job was there?
09:42:06	19	changed into street clothes?	09:44:09	19	A Debbie Job was there
09:42:08	20	A Probably, yes.	09:44:10	20	Q And who is Debbie Job?
09:42:09	21	Q May have had lunch and then the tradition	09:44:12	21	A Debbie Job is Ryan Job's mother
09:42:13	22	was to gather at McP's.	09:44:14	22	Q And who is Ryan Job?
09:42:15	23	A Correct.	09:44:16	23	A Ryan Job was another member of my BUD/S
09:42:15	24	Q And did you gather at McP's that -- that	09:44:21	24	class, in my platoon going through BUD/S Was also
09:42:17	25	day?	09:44:24	25	in Marc and Mikey Monsoor's platoon at -- at Team 3

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09:44:32 1 Q And is Ryan still alive?
09:44:34 2 A He's not.
09:44:36 3 Q My understanding is that he died after
09:44:38 4 returning to the United States; is that correct?
09:44:41 5 A Correct.
09:44:42 6 Q But as a result of injuries he sustained in
09:44:45 7 Iraq.
09:44:46 8 A That's correct.
09:44:47 9 Q Was Ryan at McP's?
09:44:54 10 A Yes, he was.
09:44:55 11 Q Had he sustained his injuries at that time?
09:45:00 12 A He had.
09:45:01 13 Q And what was his primary injury?
09:45:03 14 A He was severely wounded to the face by
09:45:09 15 bullet fragments and had lost both his -- both his
09:45:13 16 eyes. He had lost one eye completely and he was
09:45:16 17 blinded in his other -- his good eye. So he was
09:45:19 18 completely blind.
09:45:21 19 Q How long before Mikey's funeral had this
09:45:24 20 happened, if you know?
09:45:26 21 A This happened on the night that Marc Lee was
09:45:29 22 killed, so it would have been Aug -- August 2nd.
09:45:32 23 Q Did Debbie or Ryan have someone with them
09:45:47 24 similar to your role with Debbie Lee?
09:45:50 25 A I can't recall exactly. I mean, when I

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09:45:54 1 saw -- I don't know if he had anybody officially
09:45:57 2 with him but I know when he was at McP's, when I saw
09:46:01 3 him, a lot of my classmates from -- and we were
09:46:04 4 altogether, were constantly around him as well as
09:46:07 5 his platoon mates
09:46:13 6 Q And I can't remember if you said this or
09:46:15 7 not Were you still serving as a sort of escort for
09:46:18 8 Debbie Lee at this time?
09:46:20 9 A Yes I mean, my official duties as CACO
09:46:24 10 were -- were -- were over, but I was continuing to
09:46:27 11 be the face, you know, for her, and I escorted her
09:46:33 12 to Mike Monsoor's funeral
09:46:39 13 Q Do you remember if Jeremiah Danell was at
09:46:43 14 the wake at McP's?
09:46:44 15 A I don't recall exactly
09:46:47 16 Q Do you remember if Matt Lennig was there?
09:46:55 17 A Hard to say Probably was
09:47:03 18 Q Do you keep in touch with him?
09:47:04 19 A I do see Matt from time to time, yes
09:47:11 20 Q Where does he live, if you know?
09:47:13 21 A I think he's still living in the San Diego
09:47:16 22 area
09:47:19 23 Q Was Chris Kyle at the wake?
09:47:21 24 A Yes, he was
09:47:22 25 Q And do you remember if Chris was there when

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09:47:24 1 you arrived?
09:47:27 2 A I don't remember exactly.
09:47:30 3 Q And just so it's clear for the record, when
09:47:31 4 I talk about the wake, I'm talking about the
09:47:34 5 unofficial informal event that happened at McP's --
09:47:38 6 A Okay.
09:47:38 7 Q -- and not a wake at a funeral home.
09:47:45 8 Did he arrive shortly before or after you
09:47:48 9 got there?
09:47:49 10 A I --
09:47:50 11 Q Let me rephrase that question. You don't
09:47:52 12 know if he was there when you got there, and you
09:47:55 13 can't recall exactly when he arrived if he wasn't
09:47:59 14 already there. Do you know if he was there for the
09:48:04 15 majority of the time that you were there?
09:48:05 16 A Yes, he was.
09:48:07 17 Q And this was not the first time you had met
09:48:11 18 him; correct?
09:48:12 19 A I don't believe so. I mean, we had not
09:48:15 20 really had a lot of interaction before, just in --
09:48:18 21 in passing, but that was probably the first time I
09:48:22 22 had had a lot of interaction with Chris. I remember
09:48:24 23 him being -- standing next to Ryan Job and I, and a
09:48:29 24 few other people, for several minutes.
09:48:35 25 Q You had seen him around enough that you

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09:48:38 1 recognized him --
09:48:39 2 A Correct
09:48:40 3 Q -- when you saw him at McP's?
09:48:42 4 A Correct
09:48:43 5 Q Do you remember what time of day it was when
09:48:51 6 the two of you were standing with Ryan? Was it
09:48:53 7 still daylight out? Was it early evening? Late in
09:48:56 8 the night?
09:48:56 9 A It was probably later in the afternoon
09:48:59 10 getting towards nighttime
09:49:01 11 Q And if you look back at Exhibit 3, and I'll
09:49:06 12 let you figure out which page is the easiest one to
09:49:11 13 use to demonstrate, but my question is, do you
09:49:15 14 recall where you would have been standing when you
09:49:19 15 were standing with Chris and Ryan Job?
09:49:22 16 A Yeah So if you look on the -- one, two --
09:49:26 17 third page, it has the picture of the patio and
09:49:30 18 parking lot, it would have been generally right
09:49:32 19 around the middle of that patio, in between the
09:49:35 20 trees
09:49:35 21 MR OLSEN: Can we clarify which picture
09:49:37 22 we're looking at, if you just number the pictures 1,
09:49:38 23 2 --
09:49:38 24 MS WALKER: Sure
09:49:38 25 MR OLSEN: -- 3, in consecutive order

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09:49:42 1 QUESTIONS BY MS WALKER:
09:49:43 2 Q I think we're looking at the third picture;
09:49:44 3 is that right?
09:49:46 4 A One, two -- correct
09:49:57 5 Q And if you would, go ahead and mark on your
09:49:59 6 exhibit, just draw an arrow out to the white space
09:50:03 7 so we can read your writing, and mark where you were
09:50:07 8 standing with Chris and Ryan
09:50:29 9 MR OLSEN: Before you question him, can you
09:50:31 10 show me what he wrote on that exhibit?
09:50:33 11 MS WALKER: Sure Let the record reflect
09:50:35 12 it says, Standing with Chris and Ryan; and there's
09:50:38 13 an arrow drawn down to the space in the middle of
09:50:42 14 the U-shaped trees
09:50:45 15 MR OLSEN: Thank you
09:50:46 16 QUESTIONS BY MS WALKER:
09:50:49 17 Q And now, if we look at this picture that
09:50:51 18 we've numbered, number 3, the front of McP's is here
09:50:56 19 on Orange Avenue; is that correct?
09:50:58 20 A Correct
09:50:59 21 Q Okay And was this a parking lot or a patio
09:51:04 22 area?
09:51:05 23 A Which -- which area?
09:51:12 24 Q Where you were standing with Chris and --
09:51:14 25 A Oh, patio area

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09:51:16 1 Q Okay Do you remember what the three of you
09:51:19 2 were talking about?
09:51:21 3 A I honestly have no recollection of what we
09:51:25 4 were talking about The memory that does stand out
09:51:29 5 is that I was amazed at how positive and funny Ryan
09:51:38 6 Job was after going through everything he had gone
09:51:42 7 through He was always a comedian in the class and
09:51:47 8 it didn't phase him one bit And I just remember
09:51:50 9 being very happy, because that was the first time I
09:51:52 10 had actually gotten to see Ryan, I believe, since he
09:51:55 11 had sustained his injuries, and we were all really
09:51:59 12 glad and impressed and surprised at how upbeat he
09:52:03 13 was, and lively
09:52:06 14 Q And so you had met him before this?
09:52:09 15 A Ryan?
09:52:10 16 Q Yeah
09:52:10 17 A Ryan and I went through BUD/S together
09:52:13 18 Q Was there anyone else standing in that group
09:52:18 19 with you that you recall?
09:52:20 20 A I recall, I mean, different people from
09:52:26 21 Marc's platoon, people that I was in class with I
09:52:32 22 believe, if memory serves me correct, Scott Paulson
09:52:37 23 was there Chris Kyle I mean, there was a bunch
09:52:49 24 of people
09:52:53 25 I mean, it was -- it was so many people,

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09:52:55 1 it's hard to really recall I just -- I remember
09:52:57 2 those people because Chris and -- and Kevin and
09:53:02 3 those guys were pretty much at Ryan's side the whole
09:53:05 4 time, that I remember, or a majority of the time,
09:53:09 5 anyway
09:53:09 6 Q And you may have said this Are you talking
09:53:11 7 about Kevin Lacz?
09:53:12 8 A Correct
09:53:13 9 Q And that's L-A-C-Z?
09:53:15 10 A Correct
09:53:15 11 Q Had you met Kevin before the wake at McP's?
09:53:23 12 A Yes
09:53:26 13 Q And how did you know Kevin?
09:53:28 14 A Again, kind of through passing, and -- and
09:53:32 15 being around Marc and with Marc I had gone to a
09:53:40 16 football game before they deployed with -- with
09:53:43 17 Marc, and there was a bunch of Marc's platoon, I
09:53:47 18 think pretty much the whole platoon was there
09:53:49 19 And -- and we were split up in different seats but I
09:53:52 20 remember being with Kevin and -- and Marc
09:53:56 21 specifically at the game
09:53:57 22 But again, I didn't really get to know Kevin
09:54:01 23 very well until after, you know, all the funerals
09:54:04 24 and when they came back home
09:54:08 25 Q Now, your declaration, which we've marked as

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09:54:11 1 Exhibit 1, refers to an incident that occurred that
09:54:14 2 day between Chris Kyle and Jesse Ventura.
09:54:18 3 A Correct.
09:54:19 4 Q And I'm going to just ask you to flesh that
09:54:24 5 out a little bit. When did you notice that Jesse
09:54:27 6 Ventura was at McP's?
09:54:29 7 A I don't recall exactly. I -- I remember
09:54:33 8 seeing him out on the patio. He was -- there was a
09:54:39 9 couple tables with some older members of the
09:54:43 10 community. From what I understood, there was a
09:54:47 11 graduation going on the next day and they were in
09:54:52 12 town to -- as part of the -- the graduation.
09:54:56 13 Q Do you know which class was graduating?
09:54:58 14 A I don't recall.
09:54:59 15 Q Why would Jesse have been in town for the
09:55:01 16 graduation?
09:55:03 17 MR. OLSEN: Objection, foundation.
09:55:04 18 QUESTIONS BY MS. WALKER:
09:55:05 19 Q If you know.
09:55:06 20 A Can you repeat the question?
09:55:07 21 Q Yeah. Why would someone who was not
09:55:09 22 graduating with that class the next day, why would
09:55:13 23 that person have been in town to attend it?
09:55:16 24 A Sure.
09:55:16 25 MR. OLSEN: Objection, foundation.

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09:55:18 1 QUESTIONS BY MS WALKER:
09:55:18 2 Q Again, if you know and can answer?
09:55:20 3 MR OLSEN: Same objection
09:55:23 4 MR DOWD: Go ahead
09:55:25 5 THE WITNESS: Generally it's tradition in
09:55:27 6 our community, if a class, if -- when -- when a
09:55:29 7 class graduates, that they have the, what we call
09:55:34 8 the centennial and bi-centennial class come out So
09:55:39 9 in my case, I graduated in Class 251 It would have
09:55:43 10 been customary to have class members from the
09:55:45 11 Class 151 and Class 51 present at the graduation
09:55:51 12 So it was my understanding he was one of those
09:55:55 13 previous classes
09:55:56 14 QUESTIONS BY MS WALKER:
09:55:57 15 Q And when you say that he was out on the
09:56:00 16 patio, are you talking about this same area that --
09:56:03 17 A Correct
09:56:03 18 Q -- you've marked on Map No 3?
09:56:06 19 A Correct
09:56:07 20 Q Can you estimate how many feet away from you
09:56:10 21 he was?
09:56:11 22 A Not very far Probably 15, 20 feet from --
09:56:18 23 from this point where I was with Ryan Job
09:56:21 24 Q Was he sitting down or standing up?
09:56:24 25 A I don't recall if he was sitting I do

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09:56:26 1 recall him standing
09:56:29 2 Q Are there tables out on the patio, or were
09:56:31 3 there at the time you were there?
09:56:32 4 A Yes, there were
09:56:33 5 Q And chairs?
09:56:34 6 A Yes And I recall a bunch of the people
09:56:37 7 that were in his group were sitting and they all --
09:56:39 8 I mean, I do remember him standing I don't
09:56:42 9 remember if he was sitting or not at any point
09:56:45 10 Q Did you recognize any of the people in his
09:56:48 11 group?
09:56:49 12 A I did not
09:56:50 13 Q Did you notice if there were any women with
09:56:53 14 him?
09:56:53 15 A I don't remember
09:56:54 16 Q How did you know it was Jesse Ventura?
09:57:01 17 A I noticed his -- his face because he had
09:57:04 18 been on a lot of news, and media, and was a
09:57:11 19 Governor, and people were saying that he was here
09:57:14 20 And so people were obviously looking over there and
09:57:18 21 you could tell it was him
09:57:20 22 Q Had you ever seen him in person before?
09:57:23 23 A I had not
09:57:24 24 Q What was he wearing, if you remember?
09:57:29 25 A I remember him wearing a blue t-shirt, I

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09:57:36 1 think It was so long ago I do remember he had a
09:57:38 2 hat on because he had long hair down to his
09:57:44 3 shoulders, which I just remember because I had
09:57:50 4 always seen him completely bald and shaven on -- on
09:57:53 5 TV He was wearing a hat, and he had hair down to
09:57:56 6 his shoulders, and then he had a -- a -- like, I
09:58:00 7 don't know, 5, 6-inch chin -- I don't know what you
09:58:05 8 call it -- ponytail It was braided
09:58:11 9 Q And was it daylight when you first noticed
09:58:16 10 him? Dusk? Dark?
09:58:17 11 A I don't -- I don't recall
09:58:21 12 Q Did you notice if he was drinking?
09:58:23 13 A I don't recall
09:58:26 14 Q Do you remember -- well, how was he acting?
09:58:31 15 A I really didn't have a lot of interaction
09:58:35 16 with him that night so I couldn't really say how he
09:58:43 17 was acting in general I did go up and -- and
09:58:45 18 introduce myself to him with -- with Debbie Lee at
09:58:47 19 one point in the evening, and that was pretty much
09:58:49 20 the only interaction I had with him
09:58:52 21 Q What made you decide to introduce yourself
09:58:54 22 to him?
09:58:55 23 A Debbie had expressed interest in -- in going
09:59:00 24 to -- to meet him and wanted me to go over there
09:59:03 25 with her

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09:59:04 1 Q And can you describe what -- how that played
09:59:08 2 out and what the interaction was?
09:59:09 3 A Sure So obviously there was a bunch of
09:59:15 4 people that wanted to -- to -- to go over and meet
09:59:17 5 him and introduce themselves, so we just kind of
09:59:21 6 waited When the time was right, I brought Debbie
09:59:25 7 over, and I -- you know, I don't remember exactly
09:59:28 8 what I said, but something to the extent of, you
09:59:30 9 know, Sir, I just want to introduce you to Debbie
09:59:34 10 Lee, this is Marc Lee's mother He's the first SEAL
09:59:37 11 we lost in Iraq
09:59:39 12 Q And what did he say?
09:59:41 13 A Again, I don't recall the exact words but
09:59:49 14 really, just kind of quickly got into -- to kind of
09:59:52 15 talking about his time when he was a SEAL, when he
09:59:56 16 went through BUD/S That was -- that was, you know,
10:00:02 17 the extent that I really remember, and its general
10:00:06 18 detail
10:00:07 19 Q Did he shake Debbie's hand?
10:00:09 20 A I don't recall
10:00:10 21 Q Did he ask her about Marc?
10:00:14 22 A From what I remember, no
10:00:17 23 Q Did he say that he was sorry for her loss?
10:00:20 24 A I did not hear him say that
10:00:23 25 Q What was your general impression of

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10:00:26 1 Mr Ventura after that interaction?
10:00:29 2 A I was a little disappointed that there
10:00:35 3 wasn't more compassion or empathy towards Debbie
10:00:39 4 She was obviously going through a very difficult
10:00:41 5 time herself and the one thing I remember that her
10:00:45 6 and I were both kind of saying as we left, Wow, I
10:00:48 7 mean, that was not what I thought it was going to
10:00:53 8 be So I do remember he didn't really say, I'm
10:00:56 9 sorry for your loss, you know, tell me about Marc,
10:01:00 10 how did he die; anything like that, so
10:01:04 11 Q And so you introduced her as the mother of a
10:01:08 12 fallen soldier and his next response was -- was
10:01:12 13 what?
10:01:13 14 A I don't recall exactly the -- the timeline
10:01:18 15 of what happened immediately after, but I just
10:01:21 16 remember, you know, the conversation of -- from what
10:01:23 17 he was saying, was about, you know, the time when,
10:01:25 18 you know, he was in the SEAL community, or UDT
10:01:32 19 community, and what team he was on, and when he was
10:01:34 20 in, and when he went through training, but I don't
10:01:37 21 recall the exact details
10:01:38 22 Q Did that interaction change your opinion of
10:01:42 23 Mr Ventura?
10:01:44 24 A Definitely
10:01:45 25 Q What was your opinion of him before you took

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10:01:48 1 Debbie Lee up to him to introduce her?
10:01:51 2 A I didn't really have a -- a big opinion. I
10:01:56 3 thought that, you know, when he was running for
10:02:01 4 Governor, or when he was Governor, that I -- I
10:02:03 5 remember him having some -- some good points and
10:02:06 6 good issues, and -- and things that he had to say,
10:02:09 7 but I didn't really know anything about him
10:02:11 8 personally. And just --
10:02:16 9 Q What -- go ahead.
10:02:18 10 A Yeah, just from that brief interaction
10:02:20 11 with -- with Debbie Lee, I was, you know, kind of
10:02:22 12 taken aback.
10:02:23 13 Q And did your opinion of him change?
10:02:27 14 A Yes.
10:02:28 15 Q Did it change so that you had a better
10:02:29 16 opinion of him or a worse opinion of him?
10:02:31 17 A I would say worse.
10:02:32 18 Q And why was your opinion of him changed for
10:02:34 19 the worse?
10:02:36 20 A Because it didn't seem that he had really a
10:02:43 21 lot of empathy or care for what was going on that
10:02:48 22 night.
10:02:49 23 Q Did Debbie convey to you her impressions of
10:02:55 24 the interaction?
10:02:56 25 A She was very upset.

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10:02:57 1 Q What did she say, as you -- as best you
10:03:00 2 recall?
10:03:00 3 A I mean, again, word for word would be hard
10:03:02 4 to -- hard to recall, but she was -- she was
10:03:06 5 disappointed, and -- and sad that he didn't even
10:03:10 6 really say sorry, or sorry for your loss, thank you
10:03:14 7 for your son's service.
10:03:16 8 Q And when you say she was upset, was she
10:03:19 9 angry? Was she sad? Did it make her cry?
10:03:22 10 A I don't think she was angry but she was
10:03:26 11 generally sad.
10:03:29 12 Q The whole -- the whole time.
10:03:31 13 A Right, so ...
10:03:33 14 Q You testified that you were 15 to 20 feet
10:03:35 15 away from Ventura, at least for a while when you
10:03:39 16 were both on the patio. Do you -- do you remember
10:03:40 17 how long you were both out there?
10:03:41 18 A I don't know. I was moving around, you
10:03:45 19 know, the place. I had seen friends that I hadn't
10:03:50 20 seen in a while, so I didn't stay in one place for
10:03:52 21 very long.
10:03:54 22 Q Fifteen minutes? An hour? Two hours?
10:03:58 23 Anyway to ballpark it --
10:03:59 24 A From when?
10:03:59 25 Q -- that way? From when you first noticed

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10:04:01 1 that you and Ventura were both on the patio to when
10:04:04 2 you were no longer both in the same general
10:04:07 3 vicinity.
10:04:07 4 A I have no idea.
10:04:12 5 Q Would you have been able to hear the sorts
10:04:14 6 of things he was saying given the distance and the
10:04:16 7 volume in the bar around the patio?
10:04:19 8 MR. OLSEN: Object to the form of the
10:04:20 9 question.
10:04:22 10 QUESTIONS BY MS. WALKER:
10:04:23 11 Q What, if anything, did you hear Ventura say
10:04:25 12 while you were both on the patio?
10:04:27 13 A Other than the conversation that I had with
10:04:31 14 him and Debbie, I don't recall anything he said.
10:04:39 15 Q Do you recall the general -- in general,
10:04:44 16 topics he was talking about?
10:04:45 17 MR. OLSEN: Objection, foundation.
10:04:47 18 THE WITNESS: I did not hear anything that
10:04:49 19 he had said.
10:04:52 20 QUESTIONS BY MS. WALKER:
10:04:53 21 Q Did you notice whether he was having any
10:04:54 22 impact, his behavior, or the things he was saying,
10:04:57 23 was having an impact on other people on the patio?
10:05:01 24 MR. OLSEN: Object to the form of the
10:05:02 25 question.

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10:05:05 1 THE WITNESS: Can you repeat the question?
10:05:09 2 QUESTIONS BY MS WALKER:
10:05:14 3 Q Did you notice if the way Mr Ventura was
10:05:17 4 acting, or the things he was saying, even though you
10:05:19 5 didn't personally hear them, if they were having an
10:05:22 6 impact on others who were out on the patio?
10:05:27 7 MR OLSEN: Object to the form of the
10:05:28 8 question
10:05:29 9 THE WITNESS: The best that I remember is
10:05:32 10 that at some point of the night, I did hear some
10:05:37 11 people say that he was saying some things that
10:05:41 12 were -- was upsetting the family
10:05:42 13 QUESTIONS BY MS WALKER:
10:05:43 14 Q Do you remember who told you that?
10:05:44 15 A I don't
10:05:45 16 Q Do you remember what they said he was
10:05:50 17 saying?
10:05:50 18 A I heard that, you know, there were things
10:05:55 19 being said about -- negatively about Bush, about the
10:05:59 20 war in Iraq, and that, you know, Debbie Lee, Mike
10:06:05 21 Monsoor's family, and -- and Ryan Job's mother were
10:06:08 22 nearby
10:06:11 23 Q And that they found these comments
10:06:13 24 offensive, is that what you heard?
10:06:14 25 A That's what I remember, yes

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10:06:15 1 MR OLSEN: Objection
10:06:34 2 QUESTIONS BY MS WALKER:
10:06:34 3 Q Was Debbie Lee drinking that night, do you
10:06:37 4 remember?
10:06:38 5 A I don't remember, but she's generally not a
10:06:40 6 big drinker I mean, I don't -- she may not even
10:06:44 7 drink I don't know if I recall ever seeing her
10:06:47 8 have a drink
10:06:49 9 Q Were you drinking alcohol at McP's that day?
10:06:53 10 A I was drinking socially, yes
10:06:54 11 Q And what do you mean when you say socially?
10:06:56 12 A I probably had five or six beers over the
10:07:03 13 course of the night
10:07:04 14 Q How many hours would you say?
10:07:06 15 A Oh, not really sure Four, maybe
10:07:13 16 Q And what were you drinking?
10:07:16 17 A I have no idea, but probably just beer, Bud
10:07:19 18 Light
10:07:22 19 Q Would you say you were drunk that night when
10:07:24 20 you left McP's?
10:07:25 21 A No
10:07:26 22 Q Do you think the amount you drank affected
10:07:30 23 your memory of what happened at McP's that night?
10:07:33 24 A I don't believe it did
10:07:42 25 Q Do you remember seeing how much Chris Kyle

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10:07:45 1 drank that night?
10:07:45 2 A I do not
10:07:49 3 Q Was he acting as if he had been drinking a
10:07:55 4 lot?
10:07:55 5 A No
10:07:55 6 Q Referring to Exhibit 1, paragraph 13, and
10:08:08 7 I'll give you a second to read through that
10:08:11 8 A Okay
10:08:36 9 Q So in paragraph 13, you talk about a
10:08:39 10 commotion that you witnessed Where did this
10:08:44 11 commotion take place?
10:08:46 12 A It was outside by the patio of McP's
10:08:50 13 Q Is it -- was it in this area that you've
10:08:52 14 already marked on Map No 3?
10:08:55 15 A Yes
10:08:55 16 Q And do you remember approximately what time
10:08:58 17 of day it was when the commotion took place?
10:09:01 18 A I don't, but it was evening It was dark
10:09:04 19 Q Are there lights on the patio?
10:09:06 20 A I don't recall
10:09:07 21 Q Can you describe what the commotion was?
10:09:15 22 A Not exactly because I didn't see it, but I
10:09:20 23 was -- I was kind of --
10:09:21 24 Q I want to stop you --
10:09:22 25 A Okay

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10:09:23 1 Q -- right there You said you didn't see it
10:09:25 2 Describe the parts you did see
10:09:26 3 A Oh; okay Sure So I saw, you know,
10:09:30 4 some -- some noises, something happening, you know,
10:09:33 5 by the parking lot outside on the patio, or near the
10:09:37 6 patio
10:09:38 7 Q Hang on just a minute I want to get on the
10:09:40 8 record what you're pointing to
10:09:41 9 A Okay
10:09:42 10 Q So you had talked that earlier in the
10:09:44 11 evening you were standing sort of in this shadowy
10:09:48 12 area on Map 3 in between the U-shaped trees
10:09:52 13 A Correct
10:09:53 14 Q And now repeat again, if you could, where
10:09:56 15 the -- you said something near the parking lot was
10:09:59 16 happening?
10:09:59 17 A Yeah Well, it was -- I noticed a bunch of
10:10:03 18 people around this area here
10:10:04 19 Q Okay If you would, mark it on this
10:10:08 20 exhibit --
10:10:08 21 A Okay
10:10:08 22 Q -- here that's been marked
10:10:10 23 MR OLSEN: And for the record, you're
10:10:11 24 looking at the third photograph on Exhibit No --
10:10:19 25 Exhibit No 3

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10:10:19 1 THE WITNESS: Correct
10:10:26 2 MR OLSEN: Can you show me what he just
10:10:27 3 marked?
10:10:29 4 MS WALKER: He marked that right there
10:10:34 5 Can you repeat back the last answer from the
10:10:36 6 witness?
10:10:36 7 THE COURT REPORTER: I noticed a bunch of
10:10:48 8 people around this area here
10:10:48 9 QUESTIONS BY MS WALKER:
10:10:48 10 Q Okay It was -- you were on the patio; is
10:10:50 11 that correct?
10:10:50 12 A Mm-mm
10:10:50 13 Q And it was after dark, I believe you
10:10:52 14 testified?
10:10:52 15 A Correct
10:10:52 16 Q And you noticed a bunch of people on this
10:10:55 17 place that you marked on Exhibit 3, Map 3, near
10:11:03 18 where the park -- cars are parked under these
10:11:06 19 trees --
10:11:06 20 A Correct
10:11:06 21 Q -- is that correct?
10:11:07 22 A Correct
10:11:07 23 Q And when you say a bunch of people, how many
10:11:10 24 people did you notice, approximately?
10:11:11 25 A I'm going to say, I don't know, around half

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10:11:17 1 a dozen
10:11:19 2 Q Was the patio still crowded?
10:11:21 3 A Yes
10:11:22 4 Q What were the people doing?
10:11:25 5 A The -- the people over here? I couldn't
10:11:27 6 quite tell but there was some commotion there,
10:11:30 7 and -- and people were looking, and I just gave a
10:11:32 8 quick glance and I didn't really know what was going
10:11:35 9 on I didn't think much of it And then later I --
10:11:39 10 I heard what happened
10:11:43 11 Q How far away were you from the commotion
10:11:47 12 that you've described? How many feet, if you
10:11:49 13 recall?
10:11:49 14 A Thirty, 40 Well, probably more than that
10:11:55 15 Forty, 50 It's tough to say
10:12:00 16 Q Do you remember who you were standing near
10:12:02 17 at the time?
10:12:02 18 A I don't
10:12:07 19 Q Did you hear any shouting along with the
10:12:11 20 commotion?
10:12:11 21 A A little bit That's kind of what kind of
10:12:13 22 got everybody's attention to look over But again,
10:12:16 23 I didn't really -- I didn't see the actual event,
10:12:19 24 didn't know at the time what had happened
10:12:21 25 Q Do you know now what had happened?

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10:12:24 1 A I know what I've -- what I've heard that
10:12:27 2 happened
10:12:27 3 Q And what have you heard?
10:12:28 4 A I heard that that was where --
10:12:29 5 MR OLSEN: Objection, hearsay
10:12:31 6 THE WITNESS: I had heard that that was
10:12:33 7 where Chris supposedly hit Jesse Ventura
10:12:37 8 QUESTIONS BY MS WALKER:
10:12:38 9 Q How quickly after the incident occurred did
10:12:42 10 you hear that that's what happened?
10:12:44 11 A Again, I don't recall exactly the -- the
10:12:47 12 time of events, and how long it was after, but I do
10:12:49 13 remember hearing afterwards, people were talking
10:12:53 14 about -- somebody had -- had kind of come in over by
10:12:55 15 me and I remember hearing about the incident
10:13:00 16 Q So that same night while you were still at
10:13:03 17 McP's?
10:13:03 18 A Yes
10:13:05 19 Q Just in talking to other people who were
10:13:07 20 still there for the wake --
10:13:08 21 A Correct
10:13:09 22 Q -- and who were talking about this
10:13:11 23 commotion?
10:13:11 24 A Correct
10:13:12 25 Q Do you recall who told you that?

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10:13:15 1 A I don't
10:13:20 2 Q And do you recall, as precisely as you can,
10:13:22 3 what they said?
10:13:22 4 A Just that, you know, Chris had hit Jesse
10:13:29 5 Ventura for saying things that were supposedly
10:13:32 6 upsetting the family, which was the anti, you know,
10:13:36 7 war, anti-Bush, things that supposedly he was saying
10:13:40 8 that night
10:13:41 9 Q Did this person say with anymore precision
10:13:44 10 what Ventura had said that caused Chris to punch
10:13:47 11 him?
10:13:48 12 MR OLSEN: Objection, foundation and
10:13:50 13 hearsay
10:13:51 14 THE WITNESS: I don't believe so that night
10:13:57 15 I heard the next day, I believe it was, that I heard
10:14:00 16 more -- more about what was actually said
10:14:03 17 QUESTIONS BY MS WALKER:
10:14:03 18 Q I want to get to that in a minute After
10:14:07 19 you saw the commotion, did you see either Chris or
10:14:14 20 Ventura again that night?
10:14:18 21 A I don't recall
10:14:19 22 Q How long did you stay at McP's after the
10:14:22 23 commotion occurred?
10:14:23 24 A Probably not very long Maybe 20 minutes
10:14:30 25 I don't know

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10:14:30 1 Q Do you recall what time it was when you left
 10:14:34 2 McP's, approximately?
 10:14:36 3 A I have no idea.
 10:14:38 4 Q And do you recall where you went after
 10:14:40 5 McP's?
 10:14:41 6 A I probably went home.
 10:14:43 7 Q Do you know if you drove home?
 10:14:46 8 A No, I most likely would have walked.
 10:14:49 9 Q How far away was your home from McP's?
 10:14:53 10 A Eight or ten blocks.
 10:15:03 11 Q How long did the commotion last?
 10:15:05 12 A I mean, briefly. It was a couple seconds
 10:15:11 13 and then it seemed to be over.
 10:15:26 14 Q You mentioned you heard additional things
 10:15:28 15 about the commotion the next day?
 10:15:29 16 A Correct.
 10:15:29 17 Q What did you hear?
 10:15:32 18 A I had heard that, you know, as he was saying
 10:15:39 19 the things against Bush and against the war, that a
 10:15:44 20 few people had gone over, and I think Chris might
 10:15:48 21 have been one of them, and said that, you know,
 10:15:50 22 there's a family member here of the people we just
 10:15:53 23 buried and we'd appreciate it if you'd just tone it
 10:15:57 24 down a little bit. It's not the time or place.
 10:16:00 25 Q And did you hear what Jess -- how Jesse

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10:16:03 1 responded? Let me rephrase that
 10:16:06 2 Did you hear the next day from other people
 10:16:08 3 what Jesse said in response?
 10:16:09 4 A Yes I don't know --
 10:16:10 5 MR OLSEN: Object to the form of the
 10:16:11 6 question
 10:16:11 7 THE WITNESS: I don't know when it happened
 10:16:14 8 or how it was said but I heard that the response to
 10:16:20 9 that was, you know, You guys deserve to lose a few
 10:16:24 10 guys
 10:16:24 11 QUESTIONS BY MS WALKER:
 10:16:25 12 Q Who did you hear this from?
 10:16:26 13 A I'm not really sure I mean, I've -- I've
 10:16:29 14 heard it from so many people It was definitely
 10:16:33 15 more than one or two
 10:16:34 16 Q Did you hear it from more than one person
 10:16:36 17 that next day, which would have been October 13th?
 10:16:40 18 A From what I recall, yes, word spread pretty
 10:16:44 19 quick
 10:16:44 20 Q Do you recall about how many people you
 10:16:46 21 heard this story from on October 13th, 2006?
 10:16:50 22 A I mean, it could be as -- I mean, as many as
 10:16:56 23 10 or 12
 10:16:57 24 Q And over the last six years, how many people
 10:17:01 25 have you heard this story from as best you can

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10:17:03 1 estimate?
 10:17:05 2 A I can't recall It gets brought up -- it
 10:17:08 3 has probably been brought up every now and then
 10:17:11 4 I've actually told, you know, the story to people
 10:17:15 5 over the past few years since it happened
 10:17:23 6 Q Understanding that you can't recall everyone
 10:17:30 7 who's maybe told you this story, or who you've told
 10:17:32 8 the story to, who can you recall talking about this
 10:17:37 9 with?
 10:17:38 10 A I mean, specifically -- I mean, I can't
 10:17:47 11 think of a specific person or a name, but I know we
 10:17:53 12 have talked about it, and over the course of, you
 10:17:55 13 know, our platoon, which is we're always together,
 10:17:58 14 guys are always talking about what's going on
 10:18:05 15 I remember -- I mean, I remember Kevin Lasz
 10:18:09 16 talking about it at some point I remember talking
 10:18:19 17 to -- with Debbie Lee about it, you know, after the
 10:18:23 18 fact, but
 10:18:25 19 Q Would the conversations with Kevin and
 10:18:27 20 Debbie, would they have occurred back in 2006 when
 10:18:30 21 it happened, or did they occur sometime more recent
 10:18:33 22 than that? Or have there been multiple
 10:18:36 23 conversations?
 10:18:36 24 A After -- after it happened
 10:18:37 25 Q Shortly after it happened?

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10:18:38 1 A Yeah
 10:18:39 2 Q So the October 13, 2006, when you started to
 10:18:46 3 hear about this from other people, you had started
 10:18:48 4 to say that -- that you heard from others that Jesse
 10:18:54 5 was saying something, that Chris went over to him,
 10:18:59 6 and then what? What did you hear happened next?
 10:19:01 7 A I don't know how the exact sequence of
 10:19:03 8 events happened but that people had gone over to
 10:19:08 9 tell him that they didn't appreciate the things that
 10:19:10 10 were being said and, you know, to stop for the
 10:19:13 11 family It's not what we were gathering there for
 10:19:20 12 And then, you know, the other part that I
 10:19:23 13 heard was that supposedly Jesse Ventura responded at
 10:19:26 14 some point in that way, and that's what set Chris
 10:19:29 15 off
 10:19:30 16 Q He responded in what way?
 10:19:31 17 A When he said that we deserved to lose a few
 10:19:34 18 guys
 10:19:34 19 Q And that set Chris off, and -- and what did
 10:19:36 20 Chris do?
 10:19:37 21 A From what I was told --
 10:19:38 22 MR OLSEN: Object to the form of the
 10:19:39 23 question, foundation
 10:19:40 24 THE WITNESS: From what I was told, that's
 10:19:42 25 when, you know, Chris hit him

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10:19:46 1 QUESTIONS BY MS. WALKER:
 10:19:52 2 Q How did you hear about this on October 13th?
 10:19:54 3 Did you meet up with people? Did they call you on
 10:19:57 4 the phone? Was it an e-mail?
 10:19:59 5 A I don't --
 10:20:00 6 Q Do you remember?
 10:20:00 7 A Well, it would have been in person. I mean,
 10:20:02 8 I don't recall exactly, but we meet every day pretty
 10:20:08 9 much at the team at some point, whether it's, you
 10:20:11 10 know, certainly a weekday or a weekend. Guys are
 10:20:14 11 always around the team, even on their off days,
 10:20:16 12 working on their gear or getting ready for the next
 10:20:19 13 training trip.
 10:20:22 14 Q Did you go back to McP's the next day,
 10:20:26 15 October 13th?
 10:20:27 16 A I don't believe I did. I don't remember.
 10:20:30 17 Q Would it have been unusual for SEALs who
 10:20:33 18 were in town for the funeral to have gone back to
 10:20:36 19 McP's that next night?
 10:20:37 20 A No.
 10:20:44 21 Q Back in '06, how often did you go to McP's?
 10:20:48 22 A I mean, maybe a handful of times.
 10:20:55 23 Q Once a month?
 10:21:00 24 A Not socially, but if -- if there was a
 10:21:03 25 funeral or graduation.

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10:21:10 1 Q So when you say not socially, what do you
 10:21:12 2 mean?
 10:21:12 3 A I didn't go there a whole lot, you know,
 10:21:14 4 socially, for, you know, drinks or eating Probably
 10:21:21 5 the majority of my time there has been for wakes and
 10:21:28 6 graduations, but that's not very many
 10:21:33 7 Q You said that you talked to Kevin Lasz and
 10:21:35 8 Debbie Lee shortly after the fight Over the next
 10:21:43 9 few years in 2007, 2008, up through 2011, did you
 10:21:48 10 continue to hear about it from people or talk about
 10:21:50 11 it with people?
 10:21:51 12 A Never really came up much
 10:21:58 13 Q Were you married at the time?
 10:22:00 14 A I was
 10:22:03 15 Q Did you tell your wife about it?
 10:22:05 16 A About the fight?
 10:22:06 17 Q Mm-mm
 10:22:07 18 A Yes
 10:22:08 19 Q Who else have you told about it?
 10:22:14 20 A I told my parents about it My in-laws A
 10:22:21 21 couple of my close friends around town here
 10:22:26 22 Q Approximately when would you have told them
 10:22:28 23 about it? Back when it happened or more recently?
 10:22:31 24 A Back when it happened
 10:22:36 25 Q As an active reserve SEAL, how involved are

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10:22:41 1 you these days in the SEAL community?
 10:22:43 2 A I mean, I am still involved but not nearly
 10:22:48 3 to the degree I was as an active duty
 10:22:52 4 Q What are the commitments required?
 10:22:55 5 A I mean, I generally have to -- you know, I
 10:23:00 6 perform the equivalent of maybe a month, month and a
 10:23:03 7 half's worth of -- of work a year
 10:23:05 8 Q And where does that take place?
 10:23:07 9 A It could be overseas It could be local
 10:23:12 10 training Taking care of administrative things
 10:23:17 11 Getting requaled in, you know, my parachute skills,
 10:23:23 12 jumping, shooting, land warfare stuff, as well as
 10:23:27 13 administrative things
 10:23:30 14 Q As part of being active reserve, do you ever
 10:23:33 15 have to go to Coronado?
 10:23:34 16 A I have
 10:23:35 17 Q How -- when was the last time you were
 10:23:36 18 there?
 10:23:37 19 A It was February of '11 was the last time I
 10:23:50 20 was there
 10:23:52 21 Q Do you go once a year?
 10:23:53 22 A It -- I haven't gone -- I mean, sometimes
 10:23:56 23 it'll be once or twice a year, sometimes I may not
 10:23:59 24 go for a year I didn't -- I haven't been this
 10:24:00 25 year

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10:24:02 1 Q Do you talk to your former SEAL teammates
 10:24:06 2 regularly?
 10:24:06 3 A As often as I can
 10:24:07 4 Q Once a month?
 10:24:09 5 A Some more, some less
 10:24:12 6 Q Who are the ones you keep in touch with the
 10:24:14 7 most?
 10:24:15 8 A I keep in touch with Matt Frost, Ben Potassi
 10:24:25 9 (phonetic), Eric Niheim (phonetic) I do keep in
 10:24:27 10 touch with Kevin Lasz I don't talk to Chris often
 10:24:34 11 We have stayed in touch over the years Leif Babbini
 10:24:43 12 (phonetic), I try to stay in touch with Guys from
 10:24:45 13 my platoon, guys from my class, guys that I got to
 10:24:49 14 know through Marc and Mikey's platoon
 10:24:52 15 Q Are any of the people you regularly keep in
 10:24:54 16 touch with still active duty?
 10:24:55 17 A Yes
 10:24:57 18 Q Do you still go to SEAL funerals?
 10:25:00 19 A Yes
 10:25:00 20 Q When was the last time you attended one?
 10:25:03 21 A Last November October/November
 10:25:14 22 Q Is that the last official SEAL event you've
 10:25:17 23 attended?
 10:25:17 24 A I think so
 10:25:24 25 Q What do you talk about when you talk with

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10:25:33 1 your former teammates?
10:25:38 2 A Talk about what's going on currently
10:25:41 3 Usually talk about past stories I mean,
10:25:49 4 everybody's so busy, we don't get a chance to see
10:25:52 5 each other very often Unfortunately it's usually
10:25:56 6 around a funeral
10:25:57 7 And when we see each other, usually we -- we
10:26:02 8 ask, you know, how everybody else is doing that
10:26:06 9 we have -- we haven't seen, if they've seen that
10:26:08 10 person, if they know how they're doing, and where
10:26:09 11 they are and what -- what they're up to
10:26:10 12 Q Is it fair to say you all keep tabs on each
10:26:13 13 other?
10:26:13 14 A Pretty much
10:26:19 15 Q Do you talk about Ventura?
10:26:21 16 A Not really, no
10:26:22 17 Q Do you talk about Chris Kyle?
10:26:26 18 A Not really
10:26:27 19 Q Have you talked with any of your former
10:26:33 20 teammates about this guy who wrote the book, No Easy
10:26:35 21 Day? Do you know what I'm talking about?
10:26:38 22 A Yes
10:26:39 23 Q The book?
10:26:39 24 A Yes Yeah Yes, I have
10:26:41 25 Q Do SEALs like to gossip?

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10:26:46 1 A No.
10:26:47 2 Q What sorts of things were you hearing people
10:27:01 3 say about Ventura, if anything, back in 2006 within
10:27:07 4 the SEAL community?
10:27:09 5 A Probably the only thing that I could really
10:27:12 6 recall is, you know, the events of supposedly what
10:27:16 7 happened that night.
10:27:22 8 Q Do you have a sense for what his reputation
10:27:25 9 within the community was in 2006?
10:27:27 10 A Before the event?
10:27:31 11 Q Yeah.
10:27:33 12 A Not really.
10:27:34 13 Q Do you have a sense for what it was in 2007,
10:27:38 14 after the event?
10:27:39 15 A Yes.
10:27:39 16 Q What was his reputation after the event?
10:27:42 17 A Not very good.
10:27:43 18 Q Why was it not very good?
10:27:45 19 A I think pretty much everyone in the
10:27:50 20 community is hurt about this event that was in
10:27:54 21 around that time, and really disappointed and upset
10:27:58 22 that the whole thing happened.
10:27:59 23 Q So people had heard about it by 2007?
10:28:02 24 A For sure.
10:28:05 25 Q It circulated that quickly?

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10:28:06 1 A Correct
10:28:07 2 Q And by 2007, it had altered people's opinion
10:28:11 3 of him within the community?
10:28:13 4 A In my estimate, I would say yes
10:28:20 5 Q What is his current reputation within the
10:28:22 6 SEAL community?
10:28:22 7 A I don't know because I'm -- I'm not involved
10:28:25 8 on a day-to-day basis, so I wouldn't be comfortable
10:28:28 9 in saying
10:28:30 10 Q Is your sense that among the people you keep
10:28:33 11 in contact with, his reputation has changed
10:28:38 12 drastically within the last couple of years?
10:28:40 13 A I don't think it's changed one way or the
10:28:42 14 other the last couple of years
10:28:48 15 MS WALKER: I have nothing further at this
10:28:51 16 time
10:28:51 17 MR OLSEN: Why don't we take a break for a
10:28:53 18 few minutes
10:28:53 19 THE VIDEOGRAPHER: Going off the record at
10:28:56 20 10:28
10:28:56 21 (Short recess taken)
10:41:32 22 THE VIDEOGRAPHER: Back on the record Here
10:41:43 23 marks the beginning of tape number two in the
10:41:44 24 deposition of Bob Gassoff The time is 10:41
10:41:48 25 Please proceed

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10:41:51 1 EXAMINATION
10:41:51 2 QUESTIONS BY MR. OLSEN:
10:41:51 3 Q Good morning, Mr. Gassoff. I'll introduce
10:41:52 4 myself again. I'm David Olsen. I represent
10:41:55 5 Governor Jesse Ventura in a lawsuit involving Chris
10:41:59 6 Kyle. You're aware of that; correct?
10:42:00 7 A Yes, Sir.
10:42:00 8 Q And we've never met before, have we?
10:42:02 9 A No, Sir.
10:42:03 10 Q Can you give us your full name?
10:42:05 11 A Robert Allen Barkley Gassoff.
10:42:07 12 Q And how do you spell Allen?
10:42:09 13 A A-L-L-E-N.
10:42:11 14 Q And what is your date of birth?
10:42:12 15 A [REDACTED] 1977.
10:42:15 16 Q And you're represented by counsel today;
10:42:18 17 correct?
10:42:19 18 A Yes, I am.
10:42:19 19 Q And can you give us your counsel's name?
10:42:21 20 A Bill Dowd, W -- D-O-W-D.
10:42:27 21 Q And did you retain Mr. Dowd just for this
10:42:29 22 deposition or does --
10:42:30 23 A No.
10:42:30 24 Q -- he represent you generally?
10:42:32 25 A He represents me and my family generally.

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10:42:35 1 Q So I take it, then, that Chris Kyle is not
10:42:38 2 paying for you to have a lawyer today.
10:42:39 3 A No.
10:42:40 4 Q Have you ever had your deposition taken
10:42:44 5 before today?
10:42:44 6 A I have not, Sir.
10:42:45 7 Q And other than the affidavit that's already
10:42:48 8 been marked as Exhibit 1 in this deposition, have
10:42:52 9 you ever filled out other affidavits or declarations
10:42:55 10 under oath for legal proceedings before?
10:42:57 11 A No.
10:42:58 12 Q So this is the first time you've ever
10:43:00 13 submitted a declaration knowing that it would be
10:43:02 14 filed with the Court?
10:43:04 15 A As far as I know, yes.
10:43:05 16 Q Have you ever been involved in any lawsuits
10:43:08 17 before?
10:43:08 18 A No, Sir.
10:43:10 19 Q You mentioned when Miss Walker was
10:43:15 20 questioning you that you had talked to her, I think
10:43:17 21 you said last year, meaning earlier this year; is
10:43:19 22 that correct?
10:43:19 23 A Yes, Sir.
10:43:21 24 Q And did she call you or did you call her?
10:43:24 25 A She called me, Sir.

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10:43:26 1 Q Okay And what did she tell you when she
10:43:29 2 called you?
10:43:30 3 A What I remember is that she said that she
10:43:33 4 represented Chris Kyle and that Chris had said that
10:43:36 5 I would be somebody who could give some memory, or
10:43:44 6 my memory, of the incidents that took place that
10:43:47 7 were involved in the -- the lawsuit
10:43:49 8 Q How long did your conversation with
10:43:52 9 Miss Walker last?
10:43:53 10 A I don't remember It was brief
10:43:55 11 Q Ten minutes?
10:43:56 12 A Probably not even that long
10:43:58 13 Q Okay And when she mentioned Chris Kyle,
10:44:02 14 what did you tell her?
10:44:03 15 A I said if there's anything that I could do,
10:44:06 16 I would be happy to help
10:44:09 17 Q What else did you tell her?
10:44:13 18 A I don't recall
10:44:14 19 Q Did you have any further communications with
10:44:20 20 Miss Walker after that telephone conversation?
10:44:23 21 A The conversation we had about the
10:44:25 22 declaration, my -- my statement, and then just a
10:44:29 23 couple of scheduling calls before this event
10:44:37 24 Q So you had an initial call with Miss Walker
10:44:40 25 and it was very brief, and you described that;

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10:44:42 1 right?
10:44:42 2 A Yes, Sir
10:44:43 3 Q And then you had another call with her where
10:44:45 4 you talked about a declaration?
10:44:45 5 A I gave my statement to her over the
10:44:48 6 telephone, Sir
10:44:49 7 Q Okay Was it just one call or more than
10:44:51 8 one?
10:44:51 9 A I can't remember I actually think it was
10:44:58 10 two calls because I had to go I -- my -- I had a
10:45:02 11 scheduling conflict and I -- I couldn't finish, so I
10:45:05 12 think we had to finish up in -- in a second call, if
10:45:07 13 I -- if I remember accurately
10:45:08 14 Q Okay Do you remember what you said or what
10:45:10 15 she said during the second call?
10:45:12 16 A I -- I do not
10:45:13 17 Q Okay During the second call, you -- do you
10:45:16 18 recall that you talked about filling out a
10:45:17 19 declaration?
10:45:18 20 A One of the two calls, yes
10:45:21 21 Q Okay And you gave Miss Walker information
10:45:24 22 over the telephone?
10:45:25 23 A Yes, Sir
10:45:25 24 Q And then she typed it up and sent it back to
10:45:29 25 you somehow?

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10:45:29 1 A Yes, Sir.
10:45:30 2 Q How was that communicated back to you?
10:45:32 3 A I believe e-mail, or -- no, I think she sent
10:45:40 4 it, actually, by mail. I can't recall.
10:45:43 5 Q Okay. Did you have an opportunity to review
10:45:45 6 the declaration that Miss Walker's office typed up
10:45:48 7 for you before you signed it --
10:45:50 8 A I did.
10:45:50 9 Q -- and make corrections?
10:45:51 10 A I did.
10:45:52 11 Q Okay. So you think that she mailed you a
10:45:55 12 declaration. You looked at it, made corrections,
10:45:57 13 and then did you communicate with her again?
10:46:01 14 MS. WALKER: Object to form. Assumes he
10:46:02 15 made corrections.
10:46:04 16 QUESTIONS BY MR. OLSEN:
10:46:05 17 Q Tell me -- tell me what happened. When you
10:46:07 18 got the declaration in the mail from Miss Walker's
10:46:10 19 office, did you make any corrections to it?
10:46:12 20 A I don't believe I did.
10:46:12 21 Q And you got --
10:46:12 22 A I'm pretty sure I did not.
10:46:14 23 Q You got the declaration in the mail, you
10:46:15 24 signed it, had it notarized, and returned it?
10:46:17 25 A Yes, Sir.

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10:46:17 1 Q Did you return it by e-mail, or by mail, or
10:46:20 2 how?
10:46:20 3 A Probably FedEx or certified mail, I'm -- I'm
10:46:24 4 guessing
10:46:25 5 Q And you're thinking the entire conversation
10:46:30 6 or conversations you had with Miss Walker when you
10:46:33 7 communicated to her the information that was put
10:46:35 8 into your declaration was not more than a matter of
10:46:38 9 a few minutes?
10:46:41 10 A No, Sir
10:46:42 11 Q How long?
10:46:43 12 A Can you repeat the question?
10:46:44 13 Q It probably wasn't the best question Sure
10:46:47 14 You think you had one or two telephone calls with
10:46:50 15 Miss Walker; correct?
10:46:51 16 A Yes
10:46:51 17 Q And in those telephone calls, you gave her
10:46:54 18 information to put in your declaration; correct?
10:46:56 19 A Yes
10:46:56 20 Q And those one or two telephone calls in
10:46:59 21 total, how long were they?
10:47:00 22 A I'm guessing they were 10 to 15 minutes
10:47:07 23 Q Okay And during that time, did Miss Walker
10:47:10 24 tell you at all what this lawsuit's about?
10:47:12 25 A Not in great detail

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10:47:14 1 Q Did you have any knowledge that there was a
10:47:16 2 lawsuit before you heard from Miss Walker?
10:47:18 3 A I did.
10:47:19 4 Q And how did you know that?
10:47:20 5 A It was -- at that time it had already been
10:47:23 6 on a lot of the media news outlets.
10:47:26 7 Q Okay. And when you read about it, did you
10:47:29 8 have any reaction one way or the other?
10:47:32 9 A I was kind of shocked and disappointed and
10:47:38 10 sad for Chris.
10:47:42 11 Q Did you communicate with Chris Kyle at all
10:47:45 12 when you learned there was a lawsuit?
10:47:47 13 A I did.
10:47:49 14 Q And when did you communicate with him?
10:47:51 15 A It would have been sometime after the stuff
10:47:55 16 was coming out in the media and I -- I called to
10:47:59 17 say, Sorry that this is going on, I heard; and just
10:48:02 18 to catch up a little bit.
10:48:05 19 Q What did Mr. Kyle tell you?
10:48:07 20 A I don't recall exactly but I think he had
10:48:12 21 asked if -- if I would be, you know, willing to
10:48:15 22 speak on his behalf with regards to the lawsuit. I
10:48:19 23 said at that time that I -- I would.
10:48:21 24 Q Did he tell you what he meant by speaking on
10:48:23 25 his behalf?

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10:48:24 1 A No
10:48:25 2 Q What did you understand him to be saying?
10:48:29 3 A Just to tell the events as I remember them
10:48:32 4 on that night at Mikey Monsoor's funeral
10:48:36 5 Q Did the two of you go over the events when
10:48:38 6 you were on the phone?
10:48:39 7 A Not really, no
10:48:40 8 Q You didn't talk about, What do you remember,
10:48:43 9 Mr Kyle? And he didn't ask you what you remember?
10:48:45 10 A A little -- I mean, I asked him because it
10:48:47 11 was a long time ago and it was kind of hard to put
10:48:51 12 back the memories, the bits and pieces of the
10:48:55 13 memories, and I had -- I had asked him, you know, a
10:48:58 14 couple questions about, you know, if what I
10:49:00 15 remembered was true
10:49:03 16 Q And did he help to refresh your memory?
10:49:06 17 A Yes, he confirmed that my memories were
10:49:10 18 accurate
10:49:11 19 Q Do you remember the gist of what you told
10:49:14 20 Mr Kyle over the telephone?
10:49:15 21 A I do not
10:49:16 22 Q Do you remember anything else about what he
10:49:23 23 told you during this telephone conversation?
10:49:28 24 A No
10:49:28 25 Q Do you and Mr Kyle keep in touch by e-mail?

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10:49:35 1 A No, Sir
10:49:36 2 Q How about you and your other teammates in
10:49:40 3 the SEALs?
10:49:41 4 A Not so much It's more -- more telephone
10:49:47 5 Q Okay How about text message, do you and
10:49:50 6 Mr Kyle text message each other?
10:49:51 7 A We have
10:49:54 8 Q And your other former SEAL teammates, do you
10:50:01 9 text back and forth with them?
10:50:03 10 A Occasionally
10:50:05 11 Q Do you have a Facebook page?
10:50:08 12 A I do I did not when I was active duty but
10:50:11 13 I do now
10:50:12 14 Q How long have you had that?
10:50:14 15 A I don't know, Sir
10:50:16 16 Q Have you ever sent or received any messages
10:50:20 17 via Facebook that have anything to do with Governor
10:50:23 18 Ventura or the incident that we're talking about in
10:50:25 19 this lawsuit?
10:50:25 20 A Not that I know of, Sir
10:50:27 21 Q Are you a Twitter member?
10:50:28 22 A No I don't know how to do it
10:50:31 23 Q How about Google plus?
10:50:33 24 A I'm not familiar with that
10:50:35 25 Q Any other social media that you're involved

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10:50:37	1 in or that you use?	10:52:46	1 Miss Walker about scheduling matters, did you talk
10:50:38	2 A No, Sir	10:52:49	2 to anybody to help refresh your recollection of what
10:50:39	3 Q Do you have any websites where former SEALs	10:52:51	3 happened back in 2006?
10:50:44	4 communicate with each other? Private websites?	10:52:52	4 A No, Sir
10:50:48	5 A I'm on a -- a group website through LinkedIn	10:52:53	5 Q You didn't communicate at all with Chris
10:50:55	6 that has former UDT SEAL members I don't use it	10:52:59	6 Kyle?
10:50:59	7 very often I don't use it at all I just -- I get	10:52:59	7 A No, Sir
10:51:02	8 updates from it	10:52:59	8 Q When's the last time you talked to him?
10:51:04	9 Q Okay Have you ever seen any messages on	10:53:01	9 A I am honestly not sure, Sir
10:51:06	10 the LinkedIn SEAL site that have anything to do with	10:53:05	10 Q You mentioned a telephone call right after
10:51:10	11 Governor Ventura or the subject matter of this	10:53:08	11 this lawsuit hit the media Do you recall any
10:51:13	12 lawsuit?	10:53:10	12 communications with Mr Kyle after that?
10:51:13	13 A No, Sir	10:53:12	13 A Yes, Sir
10:51:14	14 Q The affidavit -- or I should say declaration	10:53:14	14 Q Do you recall when, or under what
10:51:24	15 that's been marked as Exhibit 1, that's the only	10:53:17	15 circumstances?
10:51:27	16 declaration that you've prepared for this lawsuit;	10:53:18	16 A I was trying to have my memory -- have him
10:51:28	17 correct?	10:53:22	17 help refresh my memory of the events that I recalled
10:51:29	18 A Yes, Sir	10:53:25	18 from that night, Sir
10:51:29	19 Q Has anyone asked you to prepare any	10:53:26	19 Q Okay So after the media stories came up
10:51:31	20 additional declarations?	10:53:29	20 and you talked to Mr Kyle, you spoke to him again
10:51:33	21 A No, Sir	10:53:31	21 to try to help refresh your memory?
10:51:33	22 Q Did you do anything to prepare for your	10:53:33	22 A Can you say the question again?
10:51:38	23 deposition today?	10:53:36	23 Q Sure You've already talked about one
10:51:41	24 A Not part -- no	10:53:38	24 conversation you had with Mr Kyle right after media
10:51:42	25 Q Did you review any documents?	10:53:40	25 reports surfaced about a lawsuit; correct?
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10:51:44	1 A I reviewed my declaration.	10:53:43	1 A Correct
10:51:46	2 Q Okay. Did you look at anything else?	10:53:43	2 Q And then I think I heard you say that you
10:51:48	3 A No. The only things that I have are the	10:53:46	3 also talked to Mr Kyle subsequent to that
10:51:53	4 subpoenas and -- and my declaration.	10:53:48	4 A Yes, Sir
10:51:56	5 Q Did you search for any documents that you	10:53:49	5 Q And when you talked to Mr Kyle subsequent
10:51:59	6 might have that could have something to do with this	10:53:52	6 to that, do you remember when it was?
10:52:01	7 lawsuit?	10:53:53	7 A I don't have the exact time frame on -- on
10:52:03	8 MR. DOWD: Let me interpose an objection to	10:53:58	8 all the calls that we spoke together, Sir
10:52:04	9 the subpoena as it assumes where you're going, it	10:54:00	9 Q Do you know if it was in the last month, or
10:52:07	10 was served -- he received it yesterday, and so the	10:54:02	10 was it six months ago?
10:52:11	11 overbroad scope, the burdensome nature, including	10:54:03	11 A No, Sir, it would have been last Spring
10:52:17	12 invasion of potential privacy issues, including	10:54:05	12 Q Okay And did he call you or did you call
10:52:17	13 Department of Defense issues, we're objecting to the	10:54:07	13 him?
10:52:20	14 subpoena and to the request for production.	10:54:08	14 A I don't recall
10:52:23	15 So he's going to answer these questions but	10:54:08	15 Q Do you recall at all what the two of you
10:52:25	16 it's subject to your stipulation he's not waiving	10:54:10	16 discussed during the -- the telephone calls --
10:52:28	17 any of his objections. Is that agreed?	10:54:13	17 conversation last Spring?
10:52:30	18 MR. OLSEN: That's agreed.	10:54:15	18 A I was asking questions trying to refresh my
10:52:30	19 MR. DOWD: Go ahead and answer.	10:54:20	19 memory that this is what I remember I remember you
10:52:32	20 THE WITNESS: Can you repeat the question,	10:54:26	20 guys kind of being in a -- in a certain area and I
10:52:33	21 Sir?	10:54:28	21 was trying to get confirmation that my memories were
10:52:35	22 QUESTIONS BY MR. OLSEN:	10:54:31	22 still correct and
10:52:35	23 Q I'll withdraw that question.	10:54:35	23 Q Is this before or after you filled out your
10:52:42	24 In preparation for your deposition today,	10:54:37	24 declaration?
10:52:43	25 other than speaking to your lawyer and speaking to	10:54:39	25 A Before

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10:54:42 1 Q Did you have any written communications with
10:54:46 2 Mr Kyle during this period of time?
10:54:48 3 A I had a few text messages
10:54:51 4 Q Do you remember what any of the text
10:54:52 5 messages said?
10:54:55 6 MR DOWD: Yeah He went ahead and had it
10:54:59 7 transcribed It's just one, so to simplify the
10:55:02 8 issue he's just going to give that to you
10:55:19 9 MR OLSEN: We'll go ahead and mark that
10:55:21 10 MS WALKER: And after you mark it, if I
10:55:22 11 could just see it
10:55:34 12 (Exhibit 4 marked for identification)
10:55:36 13 QUESTIONS BY MR OLSEN:
10:56:01 14 Q Mr Gasoff, you've handed me what's been
10:56:03 15 marked as Exhibit No 4, which appears to be a
10:56:05 16 March 29, 2012, transcription of some text messages
10:56:10 17 Can you tell me what this document is?
10:56:12 18 A Yes, Sir I was trying to make sure that
10:56:15 19 the events as I recalled them were accurate, and
10:56:19 20 asked Chris if he could refresh my memory and -- and
10:56:22 21 confirm that -- where they were when this event
10:56:25 22 happened from what I remember was -- was true
10:56:27 23 Q And what did Mr Kyle respond?
10:56:29 24 A He -- he said it was
10:56:33 25 Q May I have the document, please? Thank you

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10:56:49 1 And you asked Mr. Kyle if he had a fax
10:56:52 2 machine at home?
10:56:52 3 A Yes, Sir.
10:56:53 4 Q And did you fax any information to him?
10:56:55 5 A I faxed him pretty much the same map that we
10:56:59 6 have here in this exhibit.
10:57:00 7 Q And you're pointing to a Google map?
10:57:02 8 A Yes, Sir.
10:57:02 9 Q And that's been marked as Exhibit No. 3?
10:57:04 10 A Yes, Sir.
10:57:04 11 Q And when you faxed the Google map to
10:57:08 12 Mr. Kyle, did he send any information back to you?
10:57:09 13 A I can't recall. I think he did.
10:57:19 14 Q Do you know how he responded to you?
10:57:21 15 A He confirmed that where -- the memories that
10:57:25 16 I had of where the incident took place was, in fact.
10:57:28 17 Q And you've talked about that earlier today.
10:57:31 18 When you say where the events took place, are you
10:57:33 19 talking about the handwritten notations you made on
10:57:36 20 page 3 of Exhibit No. 3?
10:57:37 21 A Yes, Sir.
10:57:39 22 Q And you and Mr. Kyle communicated about
10:57:42 23 those locations, and after texting and sending faxes
10:57:47 24 back and forth, the two of you confirmed that that's
10:57:49 25 where this alleged incident happened?

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10:57:51 1 A To my knowledge, yes, Sir
10:57:52 2 Q Did you talk to anybody else since last
10:57:57 3 Spring about trying to refresh your memory of events
10:58:00 4 back in 2006?
10:58:01 5 A Not that I recall, Sir
10:58:07 6 Q Okay So you had an initial phone call with
10:58:09 7 Mr Kyle right after the media reports hit
10:58:12 8 A Yes, Sir
10:58:13 9 Q You had some further communications with him
10:58:15 10 in the Spring where you texted and faxed Any other
10:58:18 11 communications with Mr Kyle about the subject
10:58:20 12 matter of this lawsuit?
10:58:22 13 A No, Sir
10:58:24 14 Q So the last time you talked to Mr Kyle was
10:58:27 15 sometime in the Spring of 2012
10:58:30 16 A I don't know if that's true, Sir We may
10:58:33 17 have spoken since then We talk regarding other
10:58:38 18 issues as well, Sir
10:58:39 19 Q How frequently do you communicate with
10:58:41 20 Mr Kyle?
10:58:42 21 A It really varies Maybe a couple times a
10:58:51 22 year
10:59:02 23 Q When's the last time you spoke to -- well,
10:59:05 24 let me ask you a different question
10:59:06 25 Have you ever spoken to Jeremiah Danell?

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10:59:10 1 A I have not
10:59:11 2 Q How about John Jones?
10:59:14 3 A Yes
10:59:16 4 Q Who is John Jones?
10:59:18 5 A If it's the John Jones that I'm thinking of,
10:59:22 6 he was a platoon commander at SEAL Team 5 when I was
10:59:29 7 at 7 My platoon replaced his platoon in tour
10:59:35 8 Q And have you ever spoken to Mr Jones about
10:59:37 9 the subject matter of this lawsuit?
10:59:39 10 A No, Sir, I have not
10:59:40 11 Q Or the incident that is the subject matter?
10:59:42 12 A No, Sir
10:59:42 13 Q Do you know John Kelly?
10:59:45 14 A JD Kelly, yes, Sir
10:59:49 15 Q Have you ever spoken to Mr Kelly or
10:59:52 16 communicated with him about the subject matter of
10:59:54 17 this lawsuit?
10:59:54 18 A No, Sir
10:59:56 19 Q How about Andrew Paul, do you know him?
11:00:01 20 A I know the name, Sir I don't know Andrew
11:00:04 21 very well personally
11:00:08 22 Q How about Guy Budinscak?
11:00:10 23 A I know Guy Budinscak
11:00:13 24 Q And have you ever spoken to him about the
11:00:15 25 subject matter of this lawsuit?

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11:00:16 1 A No, Sir
11:00:17 2 Q And you do know Kevin Lasz; correct?
11:00:19 3 A Yes, Sir
11:00:20 4 Q And you have spoken to him about this
11:00:22 5 lawsuit; correct? Or I should say the subject
11:00:25 6 matter of the lawsuit
11:00:26 7 A Yes, Sir
11:00:26 8 Q And since the day at McP's in October of
11:00:30 9 2006, have you commune -- communicated with Kevin
11:00:33 10 Lasz about any of the events that supposedly
11:00:35 11 happened that night?
11:00:36 12 MS WALKER: I'm sorry, could you read the
11:00:37 13 question back?
11:00:37 14 THE COURT REPORTER: And since the day at
11:00:37 15 McP's in October of 2006, have you commune --
11:00:37 16 communicated with Kevin Lasz about any of the events
11:00:49 17 that supposedly happened that night?
11:00:49 18 THE WITNESS: Not really
11:00:50 19 MR OLSEN: Asked and answered
11:00:51 20 THE WITNESS: Sorry?
11:00:52 21 MS WALKER: It's asked and answered, but
11:00:53 22 ahead if you
11:00:53 23 MR DOWD: Go ahead and answer
11:00:55 24 THE WITNESS: Okay I'm sure we have around
11:00:58 25 when all this was -- was kind of evolving last

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11:01:02 1 Spring I know we talked about it
11:01:04 2 QUESTIONS BY MR OLSEN:
11:01:05 3 Q When you say last Spring, do you mean the
11:01:07 4 Spring of 2012?
11:01:08 5 A Yes, Sir
11:01:08 6 Q And how did you communicate with Mr Lasz?
11:01:12 7 A By what means of communication?
11:01:14 8 Q Sure Were you with him somewhere or --
11:01:15 9 A No, Sir --
11:01:15 10 Q -- did you talk on the phone?
11:01:16 11 A -- it would have been the telephone
11:01:17 12 Q How many times did you talk to him, do you
11:01:19 13 know?
11:01:19 14 A I'm not sure, Sir We -- We speak often
11:01:21 15 Q Do you remember what you said and what he
11:01:23 16 said about the alleged incident of October of 2006?
11:01:26 17 A No, Sir
11:01:27 18 Q Do you know a gentleman named Ivan Krusic?
11:01:36 19 A Yes, Sir
11:01:37 20 Q Who is he?
11:01:37 21 A He actually was an instructor that put me
11:01:41 22 through training I think -- he's a SEAL, was on
11:01:50 23 instructor duty when -- when I first met him, and
11:01:54 24 then I'm not sure when he went back, but he left
11:01:57 25 instructor status, went back to a team at some

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11:01:59 1 point
11:01:59 2 Q And have you ever talked to Mr Krusic about
11:02:02 3 the subject matter of this lawsuit?
11:02:03 4 A No, Sir, I have not
11:02:04 5 Q Have you ever otherwise communicated with
11:02:06 6 him?
11:02:06 7 A No, Sir
11:02:07 8 Q Other than Mr Kyle, have you ever spoken to
11:02:15 9 anyone who allegedly witnessed the confrontation
11:02:20 10 between Mr Kyle and Governor Ventura?
11:02:23 11 A Could you repeat the question, please, Sir?
11:02:25 12 Q Other than what Mr Kyle may have told you,
11:02:27 13 do you recall ever speaking to anyone who claims to
11:02:30 14 have been a firsthand witness of what happened on
11:02:33 15 October of 2006 between Mr Kyle and Governor
11:02:37 16 Ventura?
11:02:37 17 A I don't believe so I'm -- I can't say
11:02:40 18 accurately
11:02:45 19 Q Have you ever spoken to anyone since October
11:02:47 20 of 2006 who told you that Mr Kyle's story about his
11:02:51 21 confrontation with Governor Ventura is not true?
11:02:54 22 A No, Sir
11:03:25 23 (Exhibit 5 marked for identification)
11:03:25 24 MS WALKER: Is this 5?
11:03:27 25 THE COURT REPORTER: Yeah

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11:03:29 1 QUESTIONS BY MR. OLSEN:
11:03:30 2 Q Mr. Gassoff, I've handed you a copy of
11:03:32 3 what's been marked as Exhibit No. 5, which I'll
11:03:34 4 represent to you is a subpoena that was issued by my
11:03:38 5 office in connection with this lawsuit to you, and
11:03:40 6 it's dated September 10, 2012. I understand from
11:03:45 7 your attorney that you received this subpoena
11:03:47 8 yesterday?
11:03:47 9 A Yes, Sir.
11:03:49 10 Q And subject to your attorney's objections
11:03:52 11 that he's put on the record, did you make any
11:03:54 12 attempt to locate any documents other than the one
11:03:57 13 that's been marked as Exhibit No. 4 that may be
11:03:59 14 responsive to the subpoena?
11:04:01 15 A Yes, Sir. I just did a quick cursory search
11:04:04 16 of e-mails and found nothing.
11:04:06 17 Q Okay. What e-mail address did you search?
11:04:10 18 A The two e-mails that I primarily use. I
11:04:14 19 have a Hotmail account and a work account.
11:04:16 20 Q Can you give me those e-mail addresses?
11:04:19 21 MR. DOWD: You can give him the work
11:04:23 22 address. He's testified that he search -- you
11:04:25 23 searched both of those e-mail addresses?
11:04:27 24 THE WITNESS: Yes, Sir.
11:04:29 25 MR. DOWD: And how did you search them?

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11:04:30 1 THE WITNESS: I went through the search box
11:04:33 2 and query, and typed Chris Kyle.
11:04:36 3 MR. DOWD: I'm going to object and instruct
11:04:39 4 him not to provide those e-mail addresses at this
11:04:43 5 time unless good cause can be shown as to the
11:04:44 6 reasonable likelihood that discoverable evidence and
11:04:48 7 admissible evidence may be found, but go ahead.
11:04:52 8 QUESTIONS BY MR. OLSEN:
11:04:53 9 Q Okay. Let's talk about your search. You --
11:04:53 10 what kind -- what kind of search tool did you use?
11:04:56 11 A The -- I mean, the general -- the search
11:05:01 12 query for -- for the e-mail in -- in Outlook and in
11:05:05 13 Hotmail.
11:05:07 14 Q And Outlook would be the work computer?
11:05:10 15 A Yes, Sir.
11:05:11 16 Q And is that a computer that's located at
11:05:14 17 Lohr Distributing?
11:05:15 18 A It's on our network, Sir.
11:05:17 19 Q And how about your Hotmail account, is that
11:05:19 20 on the Lohr Distributing network as well?
11:05:21 21 A No, Sir. That's a regular Hotmail account.
11:05:25 22 Q Okay. Do you re -- where do you receive
11:05:27 23 that, on what machine or machines?
11:05:30 24 A Multiple machines.
11:05:33 25 Q So you can get the Hotmail on your phone?

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11:05:35 1 You can get it on your work computer?
11:05:36 2 A Correct
11:05:37 3 Q Do you have a home computer as well that you
11:05:39 4 get Hotmail on?
11:05:41 5 A Yes, Sir
11:05:42 6 Q Did you search your phone?
11:05:43 7 A Yes, Sir
11:05:43 8 Q Did you search your home computer?
11:05:45 9 A No, Sir
11:05:47 10 Q What kind of machine do you use at home?
11:05:51 11 A I have an Apple
11:05:55 12 Q And did you search your work computer for
11:06:01 13 the Hotmail account?
11:06:03 14 A Yes
11:06:05 15 Q You mentioned that the search term you used
11:06:08 16 was Chris Kyle Did you use any other search terms?
11:06:11 17 A No, Sir
11:06:11 18 Q Did you use Ventura, for example?
11:06:14 19 A No, Sir
11:06:15 20 Q Did you search Chris apart from the word
11:06:23 21 Kyle, or Kyle apart from the word Chris?
11:06:27 22 A I didn't have it in -- in quotations, so it
11:06:31 23 should have covered both bases
11:06:35 24 Q Did you search for any e-mails you may have
11:06:52 25 sent to or received from Miss Walker's law firm?

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11:06:58 1 A I don't believe I did, Sir, but they would
11:07:05 2 have actually come up -- the one came up that I
11:07:13 3 asked for be -- prior to this, I asked for all the
11:07:15 4 documents that she had, my -- my testimony, and so I
11:07:17 5 typed in the query and that came up
11:07:21 6 Q I'm -- I'm trying to understand what you
11:07:23 7 just said Can you explain it again?
11:07:25 8 A So yesterday I had asked her to send me a
11:07:27 9 copy of my statement and a copy of the subpoenas so
11:07:30 10 I could forward it to -- to my counsel So those --
11:07:33 11 those came up when I did the search query
11:07:35 12 Q And that's all you found?
11:07:36 13 A That was all
11:07:38 14 Q And how about the fax machine that you used
11:07:41 15 to provide information to Mr Kyle, or receive
11:07:44 16 information from Mr Kyle on, does that have a
11:07:47 17 memory?
11:07:47 18 A I'm not sure, Sir
11:07:49 19 Q Did anyone make any attempts to search that
11:07:52 20 to see if they could locate a copy of the fax that
11:07:56 21 was sent and received between you and Mr Kyle?
11:07:57 22 A No, Sir
11:07:58 23 Q Where is the fax machine located? Is that
11:08:00 24 at your office?
11:08:01 25 A Yes, Sir I'm not sure which one I used

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11:08:04 1 Q I take it you've got multiple fax machines
11:08:08 2 here?
11:08:08 3 A Yes, Sir, we do
11:08:15 4 Q And just a little bit about your background
11:08:18 5 I believe you said you attended the University of
11:08:20 6 Michigan; correct?
11:08:21 7 A Yes, Sir
11:08:21 8 Q You majored in Russia and East European
11:08:24 9 studies?
11:08:24 10 A Yes
11:08:24 11 Q And you did that when you were playing
11:08:26 12 hockey; right?
11:08:27 13 A Yes, Sir
11:08:27 14 Q And you played for Red Berenson?
11:08:29 15 A Yes, Sir
11:08:29 16 Q Who's been there forever?
11:08:31 17 A Yes, Sir
11:08:32 18 Q And then I understand that you've also
11:08:34 19 attended Washington University in St Louis?
11:08:36 20 A Yes, Sir
11:08:37 21 Q When did you attend there?
11:08:38 22 A I'm currently attending, Sir
11:08:39 23 Q And do you have an MBA or are you in the MBA
11:08:44 24 program?
11:08:45 25 A I'm in the MBA program, Sir

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11:08:47 1 Q All right. Do you expect to receive a
11:08:48 2 degree?
11:08:48 3 A Yes, Sir.
11:08:48 4 Q And when do you expect to receive that?
11:08:50 5 A December 7th.
11:08:56 6 Q And Lohr Distributing company, and that's a
11:08:59 7 beverage and food distributor; correct?
11:09:00 8 A Beverage, Sir.
11:09:02 9 Q Beverage?
11:09:02 10 A Yes, Sir.
11:09:02 11 Q Is it a family owned business?
11:09:04 12 A Yes, Sir.
11:09:05 13 Q And which part of the family has the
11:09:07 14 ownership interest?
11:09:09 15 A My step-father's side of the family.
11:09:15 16 Q If I understood your testimony correctly
11:09:17 17 earlier this morning, you never trained with Chris
11:09:21 18 Kyle during your time in the Navy; correct?
11:09:22 19 A Correct, Sir.
11:09:24 20 Q And you never directly served with him,
11:09:26 21 either?
11:09:27 22 A Correct, Sir.
11:09:28 23 Q You made a comment in your declaration to
11:09:36 24 the effect that you admire Mr. Kyle; is that
11:09:38 25 correct?

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11:09:38 1 A Yes, Sir.
11:09:40 2 Q And you admire him because he represents
11:09:43 3 what the SEAL community is all about; is that true?
11:09:45 4 A Yes, Sir.
11:09:46 5 Q And you admire him because he's a humble
11:09:50 6 person?
11:09:50 7 A Yes, Sir.
11:09:51 8 Q And he's not a loud mouth and doesn't go
11:09:55 9 around beating his chest?
11:09:57 10 A Yes, Sir.
11:09:57 11 Q You said that?
11:09:57 12 A Yes, I did.
11:09:58 13 Q And you believe that?
11:09:59 14 A Yes, I do.
11:10:00 15 Q And you're aware, aren't you, that Mr. Kyle
11:10:03 16 wrote a book; correct?
11:10:03 17 A Yes, Sir.
11:10:04 18 Q And it's titled, American Sniper, The Most
11:10:08 19 Lethal Sniper in American History; correct?
11:10:10 20 A Yes, Sir.
11:10:10 21 Q And there's a copy sitting on the table, and
11:10:12 22 you can see it over there; right?
11:10:14 23 A Yes, Sir.
11:10:14 24 Q And you're aware that Mr. Kyle has gone on
11:10:18 25 television and radio to promote his book; right?

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11:10:21 1 A I -- I'm aware he's been on television I
11:10:23 2 don't know if it's to promote his book or
11:10:25 3 Q You've seen him on TV; right?
11:10:27 4 A Yes, Sir, I have
11:10:28 5 Q Have you heard him on the radio?
11:10:29 6 A No, Sir
11:10:30 7 Q Have you read the media interviews he's
11:10:32 8 done?
11:10:32 9 A No
11:10:33 10 Q Are you aware that he optioned the movie
11:10:35 11 rights for his book as well?
11:10:36 12 A No, Sir, I'm not
11:10:38 13 Q Are you aware that he's appearing on a
11:10:41 14 television show with celebrities who do special
11:10:45 15 teams training?
11:10:45 16 A No, Sir
11:10:46 17 Q Knowing that he wrote a book, has promoted
11:10:48 18 it on TV and radio, has optioned the movie rights,
11:10:52 19 and he's doing TV shows with celebrities, does that
11:10:56 20 sound like a humble person to you?
11:10:58 21 A In my opinion, I think it could be construed
11:11:08 22 either way I don't consider Chris a very loud,
11:11:11 23 boisterous person
11:11:21 24 Q Miss Walker asked you about an oath of
11:11:25 25 honesty that you took when you became a SEAL Do

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11:11:27 1 you recall that?
11:11:27 2 A Yes, Sir
11:11:28 3 Q And you made a comment to the effect that
11:11:32 4 the SEALs are a team, and you like the team aspect
11:11:35 5 of it, kind of like when you were playing hockey;
11:11:38 6 right?
11:11:38 7 A Yes, Sir
11:11:39 8 Q Do the SEALs have any other codes that they
11:11:41 9 live by?
11:11:42 10 A Many
11:11:45 11 Q Okay One of them is, SEALs don't run;
11:11:50 12 correct?
11:11:52 13 A I've heard that
11:11:53 14 Q Well, do you believe that?
11:11:54 15 A Pardon me?
11:11:55 16 Q Do you believe that?
11:11:56 17 A In what context, Sir?
11:12:00 18 Q Well, I mean, let me try to frame it for
11:12:03 19 you For example, a bunch of SEALs in a SEAL bar,
11:12:08 20 if trouble starts, the SEALs aren't going to be the
11:12:11 21 ones to run, are they?
11:12:12 22 A That's not necessarily true
11:12:14 23 Q Have you ever heard a SEAL master chief
11:12:17 24 instruct anyone to punch and run when they're in a
11:12:21 25 civilian environment?

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11:12:22	1	A No, Sir	11:14:18	1	Q And your total awareness was perhaps seeing
11:12:23	2	Q And part of the SEAL code is that SEALs are	11:14:22	2	him on television or reading something about him in
11:12:27	3	a team and they stick up for each other; right?	11:14:24	3	the newspapers?
11:12:30	4	A That's correct, Sir	11:14:25	4	A Yes, Sir
11:12:31	5	Q And it's team first; correct?	11:14:25	5	Q You didn't follow his career at all, did
11:12:33	6	A Yes, Sir	11:14:28	6	you?
11:12:33	7	Q And you told some stories earlier this	11:14:28	7	A No, Sir
11:12:39	8	morning, and SEALs actually take an oath and they're	11:14:29	8	Q And you're probably not old enough to
11:12:42	9	willing to die for each other; correct?	11:14:32	9	remember or had followed his wrestling career;
11:12:44	10	A Yes, Sir	11:14:34	10	right?
11:12:45	11	Q I want to read you a statement that's	11:14:35	11	A Unfortunately, I am, Sir
11:12:53	12	recently been published by Rear Admiral Sean Pybus	11:14:37	12	Q And I think what you told Miss Walker is
11:12:58	13	Do you know who he is?	11:14:42	13	that at the time you thought maybe he had some good
11:12:59	14	A Yes, Sir, I do	11:14:46	14	points or issues but didn't really think about it
11:12:59	15	Q It was published on September 20 -- or	11:14:49	15	too much; correct?
11:13:02	16	September 4, 2012, by the Associated Press, talking	11:14:49	16	A That's correct, Sir
11:13:04	17	about a book that was written by another SEAL And	11:14:50	17	Q Okay
11:13:07	18	Admiral Pybus said, Hawking details about a mission	11:14:53	18	MS WALKER: What time period are you
11:13:11	19	and selling other information about SEAL training	11:14:54	19	talking about?
11:13:12	20	and operations puts the force and their families at	11:14:56	20	MR OLSEN: Prior to October of 2006
11:13:15	21	risk	11:14:59	21	QUESTIONS BY MR OLSEN:
11:13:16	22	Do you agree with that statement?	11:15:02	22	Q And Miss Walker also talked to you about the
11:13:17	23	A Yes, Sir	11:15:06	23	October 2006, the event at McP's; correct? Do you
11:13:18	24	Q And Admiral Pybus also said that, The SEALs	11:15:08	24	recall that?
11:13:22	25	are an elite force and should be humble and	11:15:09	25	A Sir? Can -- can you repeat? I -- I have a
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11:13:24	1	disciplined for life.	11:15:12	1	hard time hearing
11:13:26	2	Do you agree with that?	11:15:13	2	Q Sure Miss Walker talked to you earlier
11:13:26	3	A Yes, Sir.	11:15:15	3	today about the night you had at McP's in October of
11:13:28	4	Q Admiral Pybus also said, People in and out	11:15:20	4	2006; correct?
11:13:32	5	of uniform should not seek inappropriate monetary	11:15:20	5	A Yes, Sir
11:13:35	6	profit from their service with the SEALs.	11:15:22	6	Q And if I understand correctly, you were
11:13:37	7	Do you agree with that?	11:15:26	7	living in San Diego at the time and you were on
11:13:39	8	A I really don't have an opinion one way or	11:15:28	8	active duty?
11:13:45	9	the other.	11:15:30	9	A Yes, Sir
11:13:46	10	MS. WALKER: I'm going to interject, do you	11:15:30	10	Q And you lived just a few blocks away, and
11:13:47	11	have a copy of this article you're reading from?	11:15:33	11	your best memory is that you think you probably
11:13:50	12	MR. OLSEN: Not with me.	11:15:35	12	walked to McP's that day; correct?
11:13:50	13	MS. WALKER: Do you have the details on its	11:15:37	13	A Yes, Sir
11:13:52	14	author?	11:15:39	14	Q And you don't really remember one way or the
11:13:52	15	MR. OLSEN: September 4, 2012, Associated	11:15:42	15	other, that's just the way you think it probably
11:13:56	16	Press.	11:15:44	16	happened because of the proximity; right?
11:13:56	17	MS. WALKER: What was the headline and	11:15:45	17	A Yes, Sir
11:13:57	18	byline?	11:15:45	18	Q And you talked about going to a funeral for
11:13:58	19	MR. OLSEN: It had to do with the work that	11:15:51	19	Mikey Monsoor and you think that was somewhere
11:14:00	20	you just mentioned earlier by the other SEAL.	11:15:54	20	around the noon hour; correct?
11:14:09	21	QUESTIONS BY MR. OLSEN:	11:15:56	21	A Yes, Sir
11:14:11	22	Q Now, before October of 2006, I understand	11:15:57	22	Q Who was with you when you went to the
11:14:14	23	that you were generally aware of who Jesse Ventura	11:15:59	23	funeral?
11:14:17	24	is?	11:15:59	24	A It was a lot of people I was personally
11:14:17	25	A Yes, Sir.	11:16:08	25	escorting Debbie Lee

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11:16:12	1 Q But you don't remember specifically which of	11:20:33	1 be marked Exhibits No 6 through 12, which I'll
11:16:16	2 your current or former teammates were with you?	11:20:35	2 represent to you are various photographs that depict
11:16:20	3 A No, it would have been anybody and everybody	11:20:39	3 different parts of the McP's restaurant in Coronado,
11:16:22	4 who was in town	11:20:43	4 California
11:16:25	5 Q Was anybody drinking alcohol prior to the	11:20:44	5 If you look first at Exhibit No 6, please?
11:16:27	6 funeral?	11:20:46	6 A Yes, Sir
11:16:28	7 A Not that I recall, Sir	11:20:46	7 Q Are you able to identify the McP's
11:16:30	8 Q And did all of the SEALs attend in uniform	11:20:51	8 restaurant on Exhibit No 6?
11:16:35	9 or just some of them?	11:20:52	9 A Yes, Sir
11:16:36	10 A Pretty much everybody attends in uniform,	11:20:53	10 Q And do you see where, under the Google map
11:16:38	11 Sir, if they're still active duty If -- some	11:20:55	11 aerial photo, there's an orange circle with an A in
11:16:43	12 people who are friends that are no longer active	11:20:58	12 it?
11:16:46	13 duty, they would show up in appropriate civilian	11:20:59	13 A Yes, Sir
11:16:49	14 attire	11:21:00	14 Q Is that the entrance to McP's?
11:16:50	15 Q And to the best of your memory, you went	11:21:02	15 A Yes, Sir
11:16:52	16 home to change into civilian clothes, or a lower	11:21:02	16 Q And that's the entrance off of Orange
11:16:55	17 class uniform before you went to McP's?	11:21:04	17 Avenue?
11:16:57	18 A Civilian clothes	11:21:04	18 A Yes, it is, Sir
11:16:59	19 Q And how about the other teammates that were	11:21:06	19 Q And if we're looking at Exhibit No 6, and
11:17:04	20 at McP's, did they all change into civilian clothes	11:21:15	20 looking at the entrance to McP's off Orange Avenue,
11:17:07	21 or were some of them still in uniform when they --	11:21:19	21 you mentioned a bar called Danny's that's down the
11:17:07	22 A Some of them were probably still in uniform	11:21:22	22 street?
11:17:19	23 Q You've been to McP's a number of times over	11:21:22	23 A Yes, Sir
11:17:22	24 the years; correct?	11:21:22	24 Q Which way on the photograph would you need
11:17:25	25 A I wouldn't say a lot but I have been there a	11:21:25	25 to go to get to Danny's?
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11:17:28	1 number of times, yes, Sir	11:21:26	1 A Towards where the -- the blue, red and
11:17:29	2 Q I mean, enough to be pretty familiar with	11:21:29	2 yellow Google emblem is on the top left of the
11:17:30	3 the layout and the type of place it is; correct?	11:21:31	3 screen.
11:17:33	4 A Yes, Sir	11:21:31	4 Q Okay. So you go to the upper left-hand area
11:17:33	5 Q Is it a family friendly place?	11:21:33	5 of the photograph?
11:17:36	6 A Yes, Sir	11:21:34	6 A Yes, Sir.
11:17:38	7 Q It's kind of a sports bar? They serve	11:21:34	7 Q And is Danny's in this picture at all, or is
11:17:40	8 appetizers, American type food?	11:21:37	8 that --
11:17:44	9 A Yes, Sir	11:21:37	9 A No, Sir.
11:17:44	10 Q And when you've been there on occasion, have	11:21:38	10 Q It's out of the frame?
11:17:48	11 you seen families in there?	11:21:39	11 A Yes, Sir.
11:17:49	12 A Yes, Sir	11:21:40	12 Q And you say it's about a 30 second walk from
11:17:49	13 Q Do you know about how many people are able	11:21:43	13 McP's?
11:17:53	14 to be seated at McP's both inside and on the patio?	11:21:44	14 A Well, maybe a minute.
11:17:56	15 A I don't know, Sir	11:21:45	15 Q Maybe a minute?
11:18:21	16 MR OLSEN: This is number 6, right?	11:21:46	16 A Yeah.
11:18:23	17 THE COURT REPORTER: Yes	11:21:46	17 Q Okay. And there's two known SEAL hangout
11:18:32	18 MR OLSEN: Just to speed this up, why don't	11:21:50	18 bars in Coronado. One of them is McP's; correct?
11:18:32	19 we mark several of these at once	11:21:52	19 A Yes, Sir.
11:20:14	20 MS WALKER: Thank goodness for Google maps;	11:21:53	20 Q And the other's Danny's?
11:20:17	21 huh?	11:21:54	21 A That's correct.
11:20:26	22 (Exhibit 6 through 12 marked for	11:21:56	22 Q If you look, please, at Exhibit No. 7?
11:20:30	23 identification)	11:22:03	23 A Yes, Sir.
11:20:30	24 QUESTIONS BY MR OLSEN:	11:22:03	24 Q Does this appear to be a view on the McP's
11:20:31	25 Q Mr Kyle (sic), I've handed you what should	11:22:10	25 patio from the street overlooking the wall that

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11:22:13	1	11:24:18	1
11:22:16	2	11:24:19	2
11:22:19	3	11:24:21	3
11:22:23	4	11:24:24	4
11:22:25	5	11:24:24	5
11:22:26	6	11:24:29	6
11:22:26	7	11:24:31	7
11:22:31	8	11:24:32	8
11:22:37	9	11:24:34	9
11:22:39	10	11:24:35	10
11:22:41	11	11:24:35	11
11:22:46	12	11:24:36	12
11:22:49	13	11:24:38	13
11:22:53	14	11:24:38	14
11:22:56	15	11:24:40	15
11:22:59	16	11:24:42	16
11:23:00	17	11:24:43	17
11:23:03	18	11:24:48	18
11:23:04	19	11:24:51	19
11:23:05	20	11:24:51	20
11:23:10	21	11:24:59	21
11:23:14	22	11:25:01	22
11:23:18	23	11:25:04	23
11:23:20	24	11:25:06	24
11:23:24	25	11:25:11	25
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11:23:25	1	11:25:13	1
11:23:26	2	11:25:17	2
11:23:27	3	11:25:21	3
11:23:30	4	11:25:25	4
11:23:33	5	11:25:28	5
11:23:39	6	11:25:32	6
11:23:42	7	11:25:35	7
11:23:45	8	11:25:37	8
11:23:46	9	11:25:39	9
11:23:48	10	11:25:40	10
11:23:50	11	11:25:40	11
11:23:52	12	11:25:42	12
11:23:53	13	11:25:43	13
11:23:55	14	11:25:46	14
11:23:56	15	11:25:48	15
11:23:57	16	11:25:50	16
11:23:58	17	11:25:52	17
11:24:01	18	11:25:55	18
11:24:02	19	11:25:56	19
11:24:05	20	11:25:59	20
11:24:09	21	11:26:01	21
11:24:12	22	11:26:06	22
11:24:14	23	11:26:07	23
11:24:15	24	11:26:09	24
11:24:17	25	11:26:09	25

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11:26:09	1 Q -- this picture? And are you able to tell	11:28:12	1 McP's patio?
11:26:12	2 on this picture, or -- or does this picture depict	11:28:13	2 A Yes, Sir
11:26:15	3 where you believe the commotion took place that you	11:28:13	3 Q And can you orient yourself to tell us where
11:26:17	4 described?	11:28:16	4 Orange Avenue would be in this photo?
11:26:17	5 A No, Sir	11:28:18	5 A It would be to the right, and you can just
11:26:20	6 Q Okay Let's look at Exhibit No 9 Is this	11:28:22	6 kind of see it beyond to the right of the heater,
11:26:26	7 also a view of the McP's patio?	11:28:24	7 the pole heater
11:26:30	8 A Yes, Sir	11:28:25	8 Q Okay And can you orient yourself to tell
11:26:31	9 Q And this one we're looking at the door that	11:28:27	9 us where the parking lot is?
11:26:32	10 goes into the bar area?	11:28:29	10 A The parking lot would be off to the left
11:26:33	11 A Yes, Sir	11:28:32	11 here, Sir
11:26:34	12 Q And on this picture, are you able to tell	11:28:32	12 Q Okay And on this photograph, are you able
11:26:38	13 me, or does this picture show where you and Ryan	11:28:37	13 to see the location where you believe the commotion
11:26:41	14 were, where Governor Ventura was, or where the	11:28:39	14 took place that you talked about?
11:26:44	15 commotion was?	11:28:40	15 A Yes, Sir
11:26:44	16 A No, Sir	11:28:41	16 Q And where is that?
11:26:47	17 Q Let's look at Exhibit No 10 Is Exhibit	11:28:42	17 A It would be, I mean, along this wall here by
11:26:55	18 No 10 a photograph of the McP's patio?	11:28:45	18 the parking lot, Sir
11:26:57	19 A Yes, Sir	11:28:47	19 Q Okay And you don't remember one way or the
11:26:58	20 Q And on Exhibit No 10, are you able to	11:28:49	20 other whether it was inside the wall or outside the
11:27:01	21 orient yourself to tell us on which side Orange	11:28:51	21 wall?
11:27:04	22 Avenue would be?	11:28:51	22 A I really can't say, Sir I
11:27:04	23 A It would be to the right, Sir	11:28:55	23 Q Okay But it was in that general area?
11:27:07	24 Q Okay And can you point out on this picture	11:28:56	24 A Yes, Sir, it was
11:27:09	25 where you and Ryan were?	11:28:58	25 Q And where were you standing, if you can
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11:27:10	1 A So we would have been approximately between	11:29:00	1 point out for us on Exhibit No. 11, when the
11:27:15	2 where the heater is and the gentleman to the right	11:29:02	2 commotion took place?
11:27:18	3 in the Hard Rock shirt	11:29:03	3 A I was over by the -- kind of around that
11:27:25	4 Q Okay When you say the heater, are you	11:29:07	4 door that goes inside to the bar. There's a bar
11:27:27	5 talking about a pole heater?	11:29:11	5 underneath the awning where it says, Live music; I
11:27:28	6 A Yes, Sir	11:29:15	6 was kind of standing in that entranceway area.
11:27:29	7 Q And where were Governor Ventura and his	11:29:17	7 Q And you estimate that to be about 50 feet
11:27:33	8 group?	11:29:20	8 away?
11:27:34	9 A At that time, they would have been to the	11:29:20	9 A Yes, Sir.
11:27:39	10 right where the group of people seated at the table	11:29:20	10 Q Let's look at Exhibit No. 12, please. Is
11:27:44	11 with the red and white umbrella, and the Samuel	11:29:29	11 Exhibit No. 12 a photograph of the McP's patio?
11:27:48	12 Adams --	11:29:32	12 A Yes, it is, Sir.
11:27:48	13 Q Okay	11:29:33	13 Q And are you able to orient yourself from
11:27:48	14 A -- umbrella	11:29:35	14 this photograph to tell us where Orange Avenue is?
11:27:48	15 Q There's a -- a gentleman in a blue hooded	11:29:38	15 A It would have been to the left and behind
11:27:51	16 sweatshirt there?	11:29:42	16 the -- the perspective of this picture.
11:27:51	17 A Yes, Sir	11:29:45	17 Q Okay. And are you able to tell from this
11:27:52	18 Q So they would have been in that area?	11:29:47	18 photograph, or describe from this photograph for us,
11:27:53	19 A Yes, Sir	11:29:50	19 where the commotion took place that you talked
11:27:54	20 Q All right And does this picture show where	11:29:52	20 about?
11:27:56	21 the commotion was?	11:29:53	21 A Yes. Generally, I -- between the -- the two
11:27:58	22 A No, Sir Not that I recall It would have	11:29:57	22 trees, kind of just beyond the umbrella. In between
11:28:01	23 been off to the left	11:30:02	23 the two trees, the green umbrella.
11:28:03	24 Q Okay Let's look at Exhibit No 11 Does	11:30:04	24 Q The green umbrella in the center of the
11:28:10	25 Exhibit No 11 appear to be a photograph of the	11:30:05	25 photograph?

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11:30:05 1 A Yes, Sir So on -- on the other side of the
11:30:09 2 umbrella
11:30:09 3 Q Okay And we can see that there is a
11:30:11 4 parking lot over in that direction?
11:30:12 5 A Yes, Sir
11:30:13 6 Q And where were you standing when the
11:30:17 7 commotion took place?
11:30:17 8 A I would have been off to the right
11:30:21 9 Q Okay And earlier in the day, can you tell
11:30:23 10 us where you were seated on Exhibit No 12, or where
11:30:27 11 you and Ryan were actually sitting?
11:30:28 12 A We were over where the -- the gentleman and
11:30:32 13 the lady are seated The gentleman in the white
11:30:35 14 pants and the dark shirt, and the lady with the
11:30:39 15 white pants and the -- the colored top, dark hair,
11:30:41 16 with her back to us
11:30:42 17 Q In the center of the photograph by the wall?
11:30:44 18 A Yes, Sir
11:30:46 19 MS WALKER: I'm sorry, can you point --
11:30:48 20 THE WITNESS: Right here
11:30:49 21 QUESTIONS BY MR OLSEN:
11:30:49 22 Q And where were Governor Ventura and his
11:30:51 23 group seated?
11:30:52 24 A Again, I -- I remember them being kind of
11:30:55 25 around where this fire pit is now, if that's what

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11:30:59 1 that is, and maybe on this side of it
11:31:02 2 Q Okay It appears to be a fire pit, and you
11:31:05 3 don't recall whether there was or wasn't a fire pit
11:31:07 4 back then?
11:31:08 5 A I'm pretty sure there was not, Sir
11:31:17 6 Q I believe I've heard you say that over the
11:31:20 7 past several years you've been to a number of wakes
11:31:22 8 at McP's?
11:31:23 9 A Yes, Sir
11:31:24 10 Q And that's usually the unfortunate occasion
11:31:27 11 when you'd go there?
11:31:28 12 A Yes, Sir
11:31:30 13 Q And in your declaration, I believe you said
11:31:33 14 that you never saw people get out of control at
11:31:36 15 those wakes, that's not what it's about Is that
11:31:40 16 what you said?
11:31:40 17 A Correct
11:31:41 18 Q Let me read you a description and ask you if
11:31:43 19 it's true SEAL funerals are kind of like Irish
11:31:47 20 wakes except there's a lot more drinking, which begs
11:31:50 21 this question, how much beer do you need for a SEAL
11:31:53 22 wake? That is classified information but rest
11:31:56 23 assured, it's more than a metric ass ton
11:31:59 24 Is that an accurate description of what goes
11:32:01 25 on at SEAL wakes?

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11:32:02 1 A Not in my opinion, Sir
11:32:05 2 Q So if somebody wrote that about SEAL wakes
11:32:07 3 at McP's, that wouldn't be true?
11:32:11 4 A That might be someone's interpretation, Sir,
11:32:13 5 but it's not mine
11:32:14 6 Q Okay And in your experience, that's not
11:32:16 7 what happens at SEAL wakes?
11:32:19 8 A That's not how I partake in SEAL wakes, Sir
11:32:24 9 Q Do you observe others doing that?
11:32:25 10 A Sometimes
11:32:27 11 Q Drinking excessively?
11:32:29 12 A Sometimes people
11:32:34 13 Q On this day in October 2006 when you were at
11:32:39 14 McP's and saw Governor Ventura there, you don't
11:32:43 15 remember exactly what time you got there; right?
11:32:45 16 A No, Sir
11:32:46 17 Q And you don't really recall who, if anybody,
11:32:49 18 you were with when you arrived; right?
11:32:51 19 A No, Sir
11:32:52 20 Q Did you have a group of people that you hung
11:32:56 21 out with or did you just pretty much stick with Ryan
11:32:58 22 and Debbie Job?
11:33:00 23 A That night, Sir?
11:33:01 24 Q Yes
11:33:02 25 A I would have moved around all night going

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11:33:06 1 from one friend to another, one group of people to
11:33:09 2 another group
11:33:10 3 Q Okay And when Miss Walker was questioning
11:33:12 4 you, did you identify all of the people that you can
11:33:15 5 recall running into that night?
11:33:16 6 A The people that I could recall, yes, but
11:33:21 7 certainly a lot more than that
11:33:23 8 Q Sure You said it was very crowded there;
11:33:25 9 right?
11:33:25 10 A Yes, Sir
11:33:26 11 Q Shoulder to shoulder people?
11:33:27 12 A Yes, Sir
11:33:28 13 Q And you could have met dozens of your
11:33:30 14 friends or acquaintances or teammates and you just
11:33:34 15 don't recall if you did or who they were
11:33:36 16 A That's correct, Sir
11:33:37 17 Q And because you've been to a number of these
11:33:39 18 events at McP's, they tend to run together as far as
11:33:42 19 who was at which one; correct?
11:33:43 20 A Unfortunately, Sir
11:33:48 21 Q And have you told us everything you can
11:33:51 22 remember about what you and Mr Kyle and Ryan talked
11:33:53 23 about for most of the evening?
11:33:55 24 A Yes, Sir
11:33:58 25 Q And you really don't have a good memory of

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11:34:01	1 what any of the three of you said that night to each	11:36:28	1 Q When you were at McP's on that October
11:34:04	2 other, other than your lasting impression that Ryan	11:36:33	2 evening in 2006, did you observe any of the team
11:34:07	3 was upbeat and was positive	11:36:37	3 members climbing a concrete wall nearby?
11:34:09	4 A That's correct, Sir	11:36:40	4 A No, Sir.
11:34:10	5 Q And am I accurate to say that some of the	11:36:40	5 Q Have you ever seen them do that before?
11:34:20	6 teammates that you did name, some of the ones you	11:36:42	6 A Climb a concrete wall, Sir?
11:34:24	7 did recall, you recall them because they spent a lot	11:36:46	7 Q Near McP's?
11:34:26	8 of time with Ryan that evening?	11:36:47	8 A Near McP's? No, Sir.
11:34:27	9 A I kind of remember seeing them around Ryan	11:36:50	9 Q Did you see any of the SEAL team members
11:34:32	10 at that time that I was there, yes, Sir	11:36:53	10 throwing up that night?
11:34:43	11 Q Were people -- were -- were the team	11:36:54	11 A No, Sir.
11:34:46	12 members, the SEAL team members, eating that night,	11:36:54	12 Q Would it surprise you if other witnesses
11:34:48	13 or just drinking, or both?	11:36:58	13 said that some of the SEALs were drinking so much
11:34:51	14 A I mean, I can't recall everyone's individual	11:37:01	14 that they were throwing up?
11:34:55	15 habits, but there's generally appetizers or	11:37:04	15 A Can you repeat the question, Sir?
11:34:58	16 hors d'oeuvres at -- at McP's	11:37:06	16 Q Sure. Would it surprise you if other
11:35:00	17 Q And how does it usually work when there's a	11:37:08	17 witnesses said that on that night in October 2006,
11:35:03	18 wake there for a fallen SEAL? Does somebody just	11:37:13	18 some of the SEALs were drinking so much that they
11:35:06	19 open a big tab or does everybody take care of their	11:37:15	19 were throwing up?
11:35:09	20 own?	11:37:16	20 MS. WALKER: Misstates prior testimony.
11:35:10	21 A Generally what happens is the Naval Special	11:37:19	21 MR. DOWD: You can answer.
11:35:16	22 Warfare Foundation will -- will take the burden of	11:37:20	22 THE WITNESS: No, Sir.
11:35:21	23 some of the funeral and wake costs	11:37:22	23 QUESTIONS BY MR. OLSEN:
11:35:29	24 Q What is the Naval Special Warfare	11:37:22	24 Q That wouldn't surprise you?
11:35:33	25 Foundation?	11:37:23	25 A No, Sir.
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11:35:33	1 A It's a foundation that supports families of	11:37:24	1 Q You've said that sometime after you arrived
11:35:38	2 the -- our fallen SEALs.	11:37:41	2 at McP's, when it was still daylight, you became
11:35:39	3 Q Is that a private foundation or is it	11:37:44	3 aware that Governor Ventura was there; right?
11:35:42	4 Government run?	11:37:48	4 A Yes, Sir
11:35:42	5 A I'm not sure, Sir. I don't believe it's	11:37:49	5 Q And you recognized him because you had seen
11:35:45	6 Government run. I believe it's private, but I'm not	11:37:51	6 him on television; right?
11:35:47	7 certain.	11:37:52	7 A Yes, Sir
11:35:47	8 Q And it wouldn't be unusual for that fund to	11:37:53	8 Q Do you know how many people -- they've been
11:35:51	9 pick up some of the tab for a wake at McP's?	11:38:00	9 described variously by different folks who were
11:35:54	10 A Generally not. It depends on -- on the	11:38:02	10 there as older SEALs or, you know, older team
11:35:56	11 family's ability to pay for costs and -- and they	11:38:07	11 members Do you know how many of the older group
11:36:01	12 help offset some travel for the families of the	11:38:09	12 were with Governor Ventura that night?
11:36:04	13 fallen soldiers, and ...	11:38:11	13 A No, Sir I'd say it's likely it was
11:36:07	14 Q Do you recall how you paid for whatever you	11:38:16	14 anywhere from 8 to 12
11:36:09	15 had to eat or drink that night?	11:38:20	15 Q Okay And you said you believed they were
11:36:10	16 A No, Sir.	11:38:23	16 there for a graduation ceremony; right?
11:36:10	17 Q Do you recall if you paid or if someone else	11:38:26	17 A Yes, Sir
11:36:13	18 picked up the tab?	11:38:26	18 Q Did you know that or is that just your
11:36:14	19 A I don't recall, Sir.	11:38:28	19 assumption?
11:36:15	20 Q If I wanted to find out if the Naval Special	11:38:29	20 A That's what I believe I was told
11:36:22	21 Warfare Foundation picked up the tab that night, do	11:38:31	21 Q Who told you that?
11:36:24	22 you know who I would ask or --	11:38:31	22 A I don't remember, Sir
11:36:25	23 A No, Sir.	11:38:33	23 Q And you thought that they were going to a
11:36:25	24 Q -- what type of documents I would look for?	11:38:35	24 graduation ceremony on the day following; right?
11:36:27	25 A No, Sir.	11:38:38	25 A If I -- I -- that's what I remember

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11:38:40	1 Q All right Do you know whether it was, in	11:40:29	1 mother?
11:38:42	2 fact, the day following, or if they had already just	11:40:30	2 A No, Sir
11:38:44	3 come from a graduation ceremony?	11:40:30	3 Q And if I understood you correctly earlier
11:38:46	4 A I'm pretty sure it was the day following	11:40:39	4 this morning, throughout the entire evening you
11:38:48	5 Q And how do you know that?	11:40:44	5 never heard Governor Ventura say anything other than
11:38:50	6 A That's just -- I don't know why I remember	11:40:48	6 when you had this conversation with him with Marc
11:38:54	7 that It's just what I remember	11:40:51	7 Lee's mother; correct?
11:38:55	8 Q Okay And if I understood you correctly	11:40:52	8 A Can you repeat the whole question, Sir?
11:38:58	9 earlier today, other people around were commenting	11:40:54	9 Q Sure The only time you actually heard
11:39:02	10 to you that Governor Ventura was present; right?	11:40:56	10 Governor Ventura say anything the entire evening is
11:39:04	11 A Yes, Sir	11:40:58	11 when you went up to talk to him with Debbie Lee?
11:39:05	12 Q And there were a number of people that	11:41:02	12 A That was the only time I heard him speak,
11:39:10	13 wanted to meet him that day; correct?	11:41:04	13 yes, Sir
11:39:11	14 A Yes, Sir	11:41:04	14 Q Okay And everything else that you know
11:39:12	15 Q And that's because he's somewhat of a	11:41:07	15 about what he said or what he might have said or
11:39:16	16 celebrity in the SEAL community; right?	11:41:09	16 what he supposedly said comes from somebody else;
11:39:18	17 A I think people just generally know who he is	11:41:12	17 right?
11:39:21	18 and wanted to go up and introduce themselves	11:41:12	18 A Yes, Sir
11:39:23	19 Q Okay And I think, if I remember your	11:41:13	19 Q In your declaration, you made a comment to
11:39:26	20 phrase, you waited for your chance, or your	11:41:40	20 the effect that you didn't know if Governor Ventura
11:39:29	21 opportunity, and then you and Ryan's mom went up to	11:41:43	21 was drinking but he acted like he was Do you
11:39:33	22 meet him; correct?	11:41:47	22 recall saying that in your declaration?
11:39:34	23 A No, Sir	11:41:48	23 A I recall that
11:39:35	24 Q Who's --	11:41:50	24 Q Okay And it's correct that you have no
11:39:36	25 A Debbie Lee's --	11:41:53	25 idea whether Governor Ventura was drinking or not;
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11:39:38	1 Q I've got that	11:41:56	1 correct?
11:39:38	2 A Marc -- Marc Lee's mother	11:41:56	2 A I -- I don't recall actually seeing him
11:39:40	3 Q Marc Lee's mother	11:41:59	3 drink, Sir.
11:39:40	4 A Yes, Sir	11:41:59	4 Q Okay. And you say he acted like he was.
11:39:41	5 Q And how long did you have to wait for your	11:42:02	5 What do you mean by that?
11:39:43	6 opportunity before you got to meet Governor Ventura?	11:42:03	6 A Just the general perception from the
11:39:44	7 A I don't recall	11:42:05	7 conversation I had with Debbie, and speaking really
11:39:50	8 Q And if I understood you correctly, the only	11:42:08	8 loudly, and even just kind of very loud and vocal.
11:39:53	9 time that you actually talked to Governor Ventura	11:42:14	9 Q Never been around Governor Ventura before,
11:39:55	10 face-to-face that evening is when you went up to him	11:42:18	10 have you?
11:39:59	11 with Marc Lee's mother; correct?	11:42:18	11 A Guess not, Sir.
11:40:01	12 A That's correct, Sir	11:42:19	12 Q Do you have an understanding from what
11:40:01	13 Q And how long did that whole conversation	11:42:21	13 you've seen on television that Governor Ventura is
11:40:03	14 take?	11:42:23	14 always pretty loud and vocal?
11:40:03	15 A I can't remember, Sir Probably no more	11:42:25	15 A Do -- Can you repeat the question, Sir?
11:40:06	16 than four, five minutes	11:42:30	16 Q Sure. Do you -- do you have any
11:40:08	17 Q Okay And were there other people waiting	11:42:32	17 understanding at all from what you've seen on
11:40:10	18 to meet him at the time?	11:42:34	18 television that Governor Ventura is always pretty
11:40:11	19 A I don't remember, Sir	11:42:36	19 loud and vocal?
11:40:14	20 Q And other than the impressions that you've	11:42:37	20 A I guess I've not had that perception before.
11:40:18	21 described, and the disappointment that you	11:42:39	21 Q How about from his wrestling days when he
11:40:20	22 mentioned, you don't recall specifically what	11:42:41	22 was a commentator, with the -- the booming, low
11:40:23	23 Governor Ventura said?	11:42:42	23 voice?
11:40:26	24 A When, Sir?	11:42:42	24 A I wasn't a big wrestling fan, Sir, so ...
11:40:27	25 Q When you were talking to him with Marc Lee's	11:42:47	25 Q So am I correct that when Chris Kyle spoke

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11:42:58	1 to Governor Ventura, if, in fact, he did, that you	11:45:02	1 Q Is it correct that you didn't see anything
11:43:02	2 didn't hear anything that Chris Kyle said or that	11:45:04	2 that went on in connection with the commotion you
11:43:05	3 Governor Ventura said?	11:45:06	3 described?
11:43:05	4 A That's correct, Sir	11:45:08	4 A That's correct, I just saw the commotion
11:43:08	5 Q Did you ever observe Chris Kyle talking to	11:45:11	5 Q And you don't know who was involved in the
11:43:12	6 Governor Ventura?	11:45:13	6 commotion based on what you were able to observe;
11:43:12	7 A I don't recall, Sir	11:45:16	7 correct?
11:43:13	8 Q You described a commotion that took place	11:45:16	8 A That's correct
11:43:32	9 later in the evening You don't know what time that	11:45:17	9 Q And everything you know about what happened
11:43:35	10 was, do you?	11:45:20	10 or what might have happened was something you heard
11:43:36	11 A That's correct, Sir	11:45:23	11 from somebody else; right?
11:43:37	12 Q Was it light or dark?	11:45:24	12 A That's correct
11:43:38	13 A Dark, Sir	11:45:31	13 Q Did you see any tables getting knocked over
11:43:40	14 Q And you don't really recall what time you	11:45:33	14 in connection with the commotion?
11:43:44	15 left McP's; correct?	11:45:35	15 A I don't recall, Sir
11:43:45	16 A I don't	11:45:36	16 Q Is it an unusual occurrence to have an
11:43:45	17 Q And you don't recall if anybody left with	11:45:50	17 altercation or a fight at McP's when there's a bunch
11:43:48	18 you; right?	11:45:54	18 of SEALs there?
11:43:49	19 A I don't remember exactly	11:45:55	19 A At a funeral? Yes
11:43:52	20 Q Do you know if you left before or after	11:45:57	20 Q How about on other evenings?
11:43:57	21 9 o'clock p m ?	11:46:01	21 A I'm not there very much, so -- otherwise, so
11:43:58	22 A No, Sir	11:46:03	22 I wouldn't be able to really say
11:43:59	23 Q Before or after 11 o'clock p m ?	11:46:05	23 Q Did you see Chris Kyle after the commotion
11:44:01	24 A No, Sir	11:46:12	24 that you described?
11:44:04	25 Q And you think you probably went home but you	11:46:12	25 A I don't remember seeing him after
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11:44:07	1 don't recall; right?	11:46:15	1 Q You don't recall seeing him leave, saying
11:44:09	2 A I don't recall but I'm -- I don't think I	11:46:17	2 good-bye to him, anything like that?
11:44:12	3 would have gone anywhere else	11:46:19	3 A No, Sir.
11:44:14	4 Q Are you aware that a group went to Danny's	11:46:19	4 Q And I take it you didn't see Governor
11:44:17	5 afterward?	11:46:26	5 Ventura after this commotion you described.
11:44:17	6 A No, Sir	11:46:28	6 A Correct, Sir.
11:44:18	7 Q And you don't have any memory of going to	11:46:29	7 Q And you don't know what time he left?
11:44:21	8 Danny's after McP's --	11:46:32	8 A No, Sir.
11:44:23	9 A No, Sir	11:46:32	9 Q Or who he left with?
11:44:23	10 Q -- where everybody went You talked about a	11:46:34	10 A No, Sir.
11:44:37	11 commotion, and then how long after the commotion did	11:46:35	11 Q Or which door he left out of?
11:44:38	12 you say you left McP's?	11:46:37	12 A No, Sir.
11:44:40	13 A I -- I mean, I really don't recall the exact	11:46:38	13 Q Do you recall ever seeing the police show up
11:44:45	14 timeline, it's been so long, but maybe a half hour	11:46:48	14 after the commotion?
11:44:51	15 Q Okay	11:46:51	15 A I remember there being police around, but
11:44:51	16 A Maybe longer	11:46:54	16 that's pretty standard in Coronado. It's small.
11:44:52	17 Q Am I correct that you didn't see anything	11:46:59	17 Q And from what I understand, the police run a
11:44:54	18 that went on?	11:47:02	18 pretty tight ship in Coronado?
11:44:54	19 A No, Sir	11:47:04	19 A Yes, Sir.
11:44:55	20 Q I'm not correct, or you -- I mean --	11:47:04	20 Q They -- they don't put up with barroom
11:44:59	21 A I -- correct, I --	11:47:08	21 brawls?
11:44:59	22 Q -- we have a double --	11:47:08	22 A Correct, Sir.
11:45:00	23 A Can you rephrase --	11:47:09	23 Q And have you seen people arrested in barroom
11:45:00	24 Q -- negative	11:47:10	24 brawls before?
11:45:01	25 A Can you rephrase the question, please?	11:47:10	25 A No, Sir.

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11:47:11	1	Q Have you seen the police intervene?	11:49:32	1	you told your parents and you told other people
11:47:13	2	A Intervene what, Sir?	11:49:34	2	about this incident is it -- because it involved a
11:47:14	3	Q Intervene to break up fights, or to question	11:49:37	3	celebrity and a former Governor; right?
11:47:17	4	people, or tell people to go home, anything like	11:49:41	4	A I guess you could say that
11:47:19	5	that?	11:49:43	5	Q If it would have been just some guy off the
11:47:19	6	A In Coronado?	11:49:47	6	street that got in a fight at McP's, it wouldn't
11:47:20	7	Q Yes	11:49:49	7	have been a big deal, would it?
11:47:21	8	A Generally not, Sir	11:49:49	8	A That's probably what made it more of a big
11:47:22	9	Q Where did you see the police at McP's that	11:49:51	9	deal, yes, Sir
11:47:25	10	evening?	11:49:54	10	Q And Miss Walker asked you about what word of
11:47:25	11	A I really don't recall I just remember that	11:50:01	11	this incident has done to Governor Ventura's
11:47:27	12	they were around the area	11:50:06	12	reputation Do you recall her asking you those
11:47:28	13	Q Were they walking a beat?	11:50:07	13	questions?
11:47:30	14	A Pardon me?	11:50:07	14	A Yes, Sir
11:47:30	15	Q Were they walking a beat?	11:50:08	15	Q And you said you're not really familiar with
11:47:32	16	A Could be, Sir	11:50:10	16	whatever reputation Governor had before the
11:47:33	17	Q And you just don't remember?	11:50:13	17	incident; right?
11:47:35	18	A No, Sir	11:50:13	18	A Yes, Sir
11:47:35	19	Q Do you know how many policemen were there?	11:50:13	19	Q But you said by 2007, that the word of the
11:47:37	20	A No, Sir	11:50:17	20	incident certain -- certainly altered people's
11:47:37	21	Q Do you know if any policemen witnessed the	11:50:20	21	opinions in the SEAL community; right?
11:47:41	22	commotion that you talked about?	11:50:22	22	A Yes, Sir
11:47:42	23	A I don't know for sure, Sir	11:50:22	23	Q And SEALs that you know of have a lower
11:47:44	24	Q Did you talk to Chris Kyle about whether	11:50:27	24	opinion of Governor Ventura because of this story;
11:47:47	25	there were police there?	11:50:30	25	right?
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11:47:47	1	A No, Sir	11:50:31	1	MS. WALKER: Can you be clear about which
11:47:48	2	Q Based on what you told me, if police	11:50:34	2	store?
11:48:00	3	witnessed the commotion and saw someone run down the	11:50:34	3	MR. OLSEN: The story about the incident on
11:48:03	4	street to Danny's, it wouldn't be very hard for the	11:50:37	4	October 2006 at McP's.
11:48:06	5	police to follow them in there, would it?	11:50:38	5	MS. WALKER: That was circulated in 2007?
11:48:09	6	A I don't know, Sir	11:50:41	6	THE WITNESS: I'm sorry, I'm confused now.
11:48:11	7	Q All right It's just straight down the	11:50:43	7	MS. WALKER: I just want to be clear that he
11:48:13	8	street; right?	11:50:44	8	knows which circulation of stories you're talking
11:48:14	9	A Well, it's one -- it's a couple blocks away	11:50:47	9	about.
11:48:25	10	Q Will you tell me -- or you said earlier	11:50:49	10	QUESTIONS BY MR. OLSEN:
11:48:49	11	today that the next day somebody told you that	11:50:50	11	Q Okay. After this incident in October of
11:48:53	12	Governor Ventura had said that the SEALs deserved to	11:50:53	12	2006, the story spread; correct?
11:48:55	13	lose a few guys; right?	11:50:57	13	A Okay.
11:48:57	14	A Yes, Sir	11:50:58	14	Q And it spread through the SEAL community;
11:48:57	15	Q And you have no memory of who told you that;	11:51:01	15	right?
11:49:00	16	right?	11:51:01	16	A The incident, yes.
11:49:00	17	A No, Sir	11:51:02	17	Q And you told people about it, and you heard
11:49:01	18	Q And you also said that word of this supposed	11:51:04	18	about it from other people in the SEAL community;
11:49:08	19	incident spread pretty quickly through the SEAL	11:51:05	19	right?
11:49:11	20	community; right?	11:51:06	20	A Yes, Sir.
11:49:12	21	A That's correct, Sir	11:51:06	21	Q And the people you talked to had a lower
11:49:13	22	Q So just like you heard about it from	11:51:09	22	opinion of Governor Ventura because of what they
11:49:15	23	somebody else, you told other people; right?	11:51:12	23	heard about what he supposedly did that night in
11:49:18	24	A Likely, Sir	11:51:14	24	October of 2006; right?
11:49:20	25	Q And the reason that you told your wife and	11:51:15	25	A Yes, Sir.

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11:51:16	1 Q And some of the things you heard are that	11:53:43	1 in the book using an assumed name or a pseudonym?
11:51:23	2 Governor Ventura was at a wake for a fallen war	11:53:46	2 A I don't believe so, but I don't know, Sir
11:51:26	3 hero, with the family present, and said things to	11:53:48	3 Q Okay Did you talk to Chris Kyle at all
11:51:29	4 the effect that he hates America; right? Did you	11:53:50	4 when he was writing his book?
11:51:32	5 hear that?	11:53:51	5 A No, Sir, I did not
11:51:33	6 A I never heard those things. I never heard	11:54:07	6 MR OLSEN: Let's take a break for just a
11:51:36	7 Ventura say anything, so ...	11:54:08	7 couple of minutes
11:51:38	8 Q I'm just asking about what you heard from	11:54:09	8 THE VIDEOGRAPHER: We're off the record at
11:51:40	9 other people.	11:54:11	9 11:53
11:51:41	10 A Things that I heard that were said were	11:54:12	10 (Short recess taken)
11:51:45	11 derogatory towards Bush, the administration, and the	11:59:05	11 THE VIDEOGRAPHER: We're on the record at
11:51:48	12 war.	11:59:19	12 11:58 Please continue
11:51:50	13 Q Did anybody ever tell you that Governor	11:59:21	13 QUESTIONS BY MR OLSEN:
11:51:53	14 Ventura supposedly said that Navy SEALs are	11:59:22	14 Q Mr Gassoff, has anyone informed you when
11:51:56	15 murderers and that they're killing innocent people?	11:59:24	15 the trial in this case is scheduled to take place?
11:51:59	16 A I believe I had heard that also, Sir.	11:59:26	16 A No, Sir
11:52:01	17 Q Who told you that?	11:59:26	17 Q Has anyone asked you to testify at the trial
11:52:02	18 A I don't recall.	11:59:29	18 in Minnesota?
11:52:02	19 Q Can you think of anything worse that can be	11:59:30	19 A No, Sir
11:52:07	20 said about a former SEAL than to claim he called	11:59:31	20 Q Do you have any plans to come testify at the
11:52:15	21 other SEALs murderers and said SEALs deserved to	11:59:33	21 trial in Minnesota?
11:52:19	22 die?	11:59:34	22 A No, Sir
11:52:20	23 A Can you repeat the question, Sir?	11:59:35	23 MR OLSEN: All right That's all the
11:52:21	24 Q Sure. Can -- can you think about anything	11:59:36	24 questions I have for you Thank you, Sir
11:52:23	25 worse that one SEAL could say about another	11:59:39	25 THE WITNESS: Thank you, Sir
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11:52:28	1 besides -- well, let me rephrase that question	11:59:39	1 MS WALKER: I have just a few follow-ups
11:52:31	2 By saying that a former SEAL turned on his	11:59:40	2 It shouldn't take more than ten minutes
11:52:38	3 own and said SEALs deserved to die, that's probably	11:59:42	3 FURTHER EXAMINATION
11:52:42	4 the best way to ruin somebody's reputation; isn't	11:59:42	4 QUESTIONS BY MS WALKER:
11:52:46	5 it? In the SEAL community?	11:59:45	5 Q Bobby, Mr Olsen asked you about the
11:52:48	6 A That's not a way to get people to like you	11:59:47	6 conversations you had with Chris at the beginning of
11:52:50	7 in our community, Sir	11:59:49	7 the year, and then in April around the time -- or in
11:52:51	8 Q Right I mean, what do SEALs think of	11:59:53	8 the Spring around the time you signed your
11:52:54	9 someone who would turn on their own, someone who	11:59:55	9 declaration Did -- in -- in talking to Chris, did
11:52:57	10 would be a traitor to their own?	12:00:00	10 he try to get you to say anything that you didn't
11:53:01	11 A What do SEALs think? I would not be	12:00:02	11 already believe or that you weren't comfortable
11:53:04	12 comfortable speaking on what other people may or may	12:00:03	12 saying?
11:53:07	13 not think, Sir	12:00:03	13 A No
11:53:08	14 Q What do you think?	12:00:04	14 MR OLSEN: Objection, leading
11:53:09	15 A I don't think very highly of it, Sir	12:00:06	15 QUESTIONS BY MS WALKER:
11:53:18	16 Q Have you read Chris Kyle's book?	12:00:06	16 Q How did those conversations with him affect
11:53:20	17 A No, Sir, I have not	12:00:08	17 your memory?
11:53:21	18 Q Have you read parts of it?	12:00:09	18 A They just solidified what fragments of
11:53:23	19 A I read a part about when Marc was killed	12:00:13	19 memory I had from the night
11:53:31	20 Q You just don't have any interest in reading	12:00:15	20 Q Mr Olsen asked you, and I'm not going to be
11:53:33	21 the rest of the book?	12:00:21	21 able to quote him directly, but a question along the
11:53:35	22 A No	12:00:23	22 lines of, have you ever spoken to someone who was a
11:53:37	23 Q Okay Do you know if you're in the book?	12:00:25	23 firsthand witness to that altercation, or the
11:53:39	24 A No, Sir	12:00:29	24 commotion at McP's And your -- as part of your
11:53:39	25 Q Do you know if there are stories about you	12:00:32	25 answer, you said, I can't answer accurately Do you

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12:00:35	1	remember that?	12:03:03	1	of SEAL wakes?
12:00:35	2	A I remember the general question, yes.	12:03:05	2	A That's not -- that's certainly not the
12:00:38	3	Q What did you mean when you said you can't	12:03:11	3	perception that I have of SEAL wakes, and I've been
12:00:40	4	answer accurately?	12:03:14	4	to quite a few.
12:00:41	5	A I don't know exactly who was there, who	12:03:19	5	Q Do you think Chris exaggerated a little bit
12:00:43	6	witnessed it.	12:03:22	6	here to -- for literary effect?
12:00:47	7	Q So you may have talked to a firsthand	12:03:25	7	A I would say so.
12:00:49	8	witness, you just don't know?	12:03:29	8	Q Do you think Chris is the sort of person who
12:00:50	9	A Correct.	12:03:31	9	would exaggerate about, or lie about punching out
12:00:51	10	Q What is closing time in Coronado for the	12:03:35	10	Jesse Ventura?
12:01:00	11	bars?	12:03:37	11	MR. OLSEN: Object to the form of the
12:01:00	12	A I don't recall. It varies. Generally	12:03:37	12	question, calls for speculation.
12:01:06	13	Coronado shuts down pretty early, but I -- I	12:03:39	13	QUESTIONS BY MS. WALKER:
12:01:10	14	really -- I was married in the last few years I was	12:03:40	14	Q Based on what you know about Chris's
12:01:14	15	there and I actually didn't go out very much, so	12:03:42	15	character and his reputation, do you --
12:01:16	16	I -- I really can't recall.	12:03:44	16	MR. OLSEN: Object -- are you done? Object
12:01:18	17	Q Was it after 2 a.m., do you know?	12:03:46	17	to the form of the question.
12:01:19	18	A Oh, it's before that.	12:03:49	18	QUESTIONS BY MS. WALKER:
12:01:21	19	Q And do you -- do you know if McP's stays	12:03:49	19	Q -- do you think he would exaggerate a story
12:01:27	20	open until the normal closing time or does it shut	12:03:52	20	about punching out Jesse Ventura at a bar?
12:01:29	21	down earlier?	12:03:53	21	A No, Ma'am.
12:01:30	22	A Sometimes if there's events like this,	12:03:54	22	MR. OLSEN: Object to the form of the
12:01:32	23	they'll stay open a little bit later than normal.	12:03:56	23	question.
12:01:36	24	Q But you don't really know what normal would	12:03:56	24	MS. WALKER: Did you get the answer?
12:01:39	25	be?	12:03:56	25	THE WITNESS: No, Ma'am.
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12:01:39	1	A No	12:03:57	1	MS WALKER: I have no further questions
12:01:39	2	Q Mr Olsen read a statement to you and I'm	12:03:59	2	MR OLSEN: No further questions
12:01:50	3	going to read it And it's actually -- I'll	12:04:02	3	THE VIDEOGRAPHER: Here marks the end of
12:01:52	4	represent to you that it's from Chris's book It	12:04:03	4	disk number 2 in the deposition of Mr Gassoff
12:01:55	5	appears on page 308 in a subchapter called, Mike	12:04:06	5	Going off the record, the time is 12:03 Thank you
12:02:01	6	Monsoor And the prelude to the statement is Chris	12:04:09	6	all
12:02:06	7	finding out that Mikey had died, and then he's		7	
12:02:09	8	talking about the wake		8	
12:02:14	9	It reads, and I'll quote, I drove a van to		9	
12:02:17	10	pick up some of the guys from the airport and helped		10	
12:02:20	11	arrange Mikey's wake SEAL funerals are kind of		11	
12:02:23	12	like Irish wakes, except there's a lot more		12	
12:02:25	13	drinking Which begs the question, how much beer do		13	
12:02:28	14	you need for a SEAL wake? That is classified		14	
12:02:31	15	information but rest assured it is more than a		15	
12:02:34	16	metric ass-ton		16	
12:02:37	17	Does that sound to you like something Chris		17	
12:02:39	18	would say?		18	
12:02:40	19	A Not really, no		19	
12:02:43	20	Q How do -- how do you take that statement		20	
12:02:45	21	hearing it for the first time today?		21	
12:02:49	22	A It's probably a generalized statement that		22	
12:02:54	23	was written to sound a little bit better in the		23	
12:02:57	24	book		24	
12:02:59	25	Q How do you reconcile it with your perception		25	

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1 STATE OF MISSOURI

2 SS

3 CITY OF ST LOUIS

4 I, Greta G Cairatti, RPR, CRR, MO-CCR #790,
 5 IL-CSR #084-003418, and Notary Public in and for the
 6 State of Missouri, duly commissioned, qualified and
 7 authorized to administer oaths and to certify to
 8 depositions, do hereby certify that pursuant to
 9 notice in the civil cause now pending and
 10 undetermined in the United States District Court for
 11 the District of Minnesota, to be used in the trial
 12 of said cause in said court, I was attended at the
 13 offices of [REDACTED]
 14 St Louis, Missouri, by the aforesaid witness; and
 15 by the aforesaid attorneys; on the 21st day of
 16 September, 2012

17 That the said witness, being of sound mind and
 18 being by me first carefully examined and duly
 19 cautioned and sworn to testify the truth, the whole
 20 truth, and nothing but the truth in the case
 21 aforesaid, thereupon testified as is shown in the
 22 foregoing transcript, said testimony being by me
 23 reported in shorthand and caused to be transcribed
 24 into typewriting, and that the foregoing pages
 25 correctly set forth the testimony of the

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1 aforementioned witness, together with the questions
 2 propounded by counsel and remarks and objections of
 3 counsel thereto, and is in all respects a full,
 4 true, correct and complete transcript of the
 5 questions propounded to and the answers given by
 6 said witness; that signature of the deponent was
 7 waived by agreement of counsel

8 I further certify that I am not of counsel or
 9 attorney for either of the parties to said suit, not
 10 related to nor interested in any of the parties or
 11 their attorneys

12 Witness my hand and notarial seal at
 13 St Louis, Missouri, this 24th day of September,
 14 2012
 15 My Commission expires October 29, 2012

16
 17 -----
 18 Notary Public in and for the
 19 State of Missouri
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 21
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 23
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 25

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